

**SECTION A - GENERAL COMPENSATION PROVISIONS FOR NONREPRESENTED
PERMANENT & PROJECT EMPLOYEES IN THE CLASSIFIED SERVICE**

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INTRODUCTION

Pursuant to s. 230.12(1)(a)3., Wis. Stats., provisions governing salary transactions for nonrepresented classified employees are contained in this Compensation Plan. Pay provisions currently contained in this Section (Section A) of the Plan include General Wage Adjustments; Annualized General Wage Adjustments; Relocation Incentive Awards; Progression Adjustments for Certain Nonrepresented Classifications; Pay on Survey Regrade; Supplemental Pay and Overtime Compensation.

Certain other compensation provisions, such as those relating to employer payments toward health insurance and retirement contributions, are contained in the Plan pursuant to s. 40.05, Wis. Stats.

1.00 Coverage

The provisions of this Section (Section A) apply to **all project employees and all permanent employees** in the classified service who are not covered by a collective bargaining agreement:

- (a) A "**permanent employee**" is a person who is an employee as a result of an appointment to a position in which permanent status can be attained, whether or not the employee has attained permanent status.
- (b) A "**project employee**" is a person who is an employee as a result of an appointment to a project position under conditions of employment which do not provide for attainment of permanent status. All project employees in the classified service are covered by this Plan.

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2.00 ~~Base Pay Adjustments and Lump Sum Awards for Fiscal Years 2007-2008 and 2008-2009-2010 and 2010-2011~~

2.01 ~~General Wage Adjustment (GWA) and Annualized GWA~~

- (1) ~~Effective Dates. The GWAs will be effective December 9, 2007, in FY 2007-2008; and July 6, 2008 in FY 2008-2009.~~
- (2) ~~Eligibility. All employees who are in pay status on the effective date are eligible to receive a GWA except the following:~~
- (a) ~~Employees whose job performances were rated below satisfactory as a result of formal performance evaluations conducted in the 12-month period ending June 23, 2007, for FY 2007-2008 and ending July 5, 2008, for FY 2008-2009.~~
 - (b) ~~Supervisors who have not completed formal performance evaluations on all subordinate employees, for whom performance evaluations are required, within the 12-month period ending June 23, 2007, for FY 2007-2008 and ending July 5, 2008, for FY 2008-2009. In FY 2008-2009, if the required performance evaluations are performed by December 31, 2008, a supervisor shall be granted a Delayed Award for the July 6, 2008 GWA if the supervisor had been denied the GWA solely because of the failure to complete evaluations. The GWA will be effective January 4, 2009, with no retroactive pay or lump sum payment for the delay.~~

NOTE: Extenuating circumstances may exist (e.g., leaves of absences) that would allow a supervisor to receive a GWA even though the required performance evaluations were not completed within the mandated time frames. Contact OSER, Division of Compensation and Labor Relations for further assistance.

- (c) ~~Any employee paid at or above the pay range maximum (or the new pay range maximum, if a new pay range maximum takes effect on the same date as GWA distribution). An employee who is not eligible to receive a GWA solely because his or her base pay is at or above the pay range maximum—or new pay range maximum, if applicable—may qualify for an Annualized GWA Payment under 2.02 of this Section (Section A).~~
- (d) ~~Classified Legal related (refer to Section C of this Plan).~~

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- ~~(e) — Crafts Worker-related employees (i.e., Project Craft Workers, Crafts Worker Supervisors, Shop Supervisors, and the Crafts Operation Manager UW Milwaukee — refer to 4.08 of this Section (Section A)).~~
 - ~~(f) — Trainees eligible for scheduled trainee increases (refer to Section E, 1.04 of this Plan).~~
 - ~~(g) — Any employee who retired or died between June 24, 2007 and the effective date of the 2007-2008 GWA shall be eligible for the 2007-2008 GWA and associated lump sum payments.~~
 - ~~(h) — Any employee moving from a position not covered by this Plan to a position covered by this Section (Section A) who was in employment status on the effective date of a GWA, but did not receive or was not considered for the GWA, will be granted:
 - ~~1. — The GWA(s) or Annualized GWA(s) as provided in this Section (Section A).~~
 - ~~2. An associated lump sum payment for all the hours in pay status from the effective date(s) of the GWA(s) provided under 1., above, to the effective date(s) of the movement to the covered position.~~
 - ~~3. — If granted the December 9, 2007 GWA, under 1., above, the employee will also be eligible for the lump sum provided in 2.03, below.~~
 - ~~4. — Any GWA(s) received under 1., above, will be granted prior to setting the pay upon appointment in the new position.~~~~
- ~~(3) — Amount. All eligible employees will receive a GWA of 2.0% on December 9, 2007 and 1.0% on July 6, 2008. These increases are subject to the following restrictions:~~
- ~~(a) — An employee's new base pay after application of the GWA must not exceed the pay range maximum, or the new pay range maximum if a new pay range maximum takes effect on the same date as GWA distribution. Use the new 50-11 pay range maximum for employees in the Nursing Supervisor and Nurse Practitioner Management classifications. (Refer to Annualized GWA Payment provisions under 2.02 of this Section.)~~
 - ~~(b) — No employee may, during any fiscal year, receive a total cumulative adjustment (GWA) exceeding a total of 10% of the employee's base pay at the beginning of the fiscal year, immediately prior to GWA distribution.~~

NOTE: The classifications of Nursing Supervisor and Nurse Practitioner Mgmt will be reassigned to pay range 50-11 effective December 9, 2007. Notwithstanding Section I, 4.01 of this Plan, resulting reallocations will occur after the implementation of the 2007-2008 GWA and pay schedules.

- (4) ~~Ineligibility Due to Performance.~~ Any employee who is not eligible to receive a GWA because of job performance must receive a written notice that states the extent to which the employee's performance has not met management's expectations. This notice must also include recommendations for improvement.
- (5) ~~Grievances.~~ If an employee is dissatisfied with the evaluation methodology and results used by an agency to determine any GWA, the employee may file a grievance under s. 230.12(5)(e), Wis. Stats. The decision of the appointing authority is final and may not be appealed to the Employment Relations Commission under ss. 230.44 or 230.45(1)(e), Wis. Stats. Agencies will submit a copy of each grievance filed and the written decision of the appointing authority to the OSER Director within 14 days of the decision.

~~2.02 Annualized GWA Payment~~

- (1) ~~Granting Date.~~ Annualized GWA Payments will be granted as soon as administratively feasible after the effective date of the GWA provided under 2.01 of this Section (Section A).
- (2) ~~Eligibility.~~ Any employee, including any employee who retired or died between June 24, 2007 and the effective date of the GWA, will receive an Annualized GWA Payment if either of the conditions described under (a) or (b) below, apply:
 - (a) ~~The employee was not eligible to receive a GWA solely because his or her base pay was at or above the pay range maximum (or new pay range maximum, if a new pay range maximum takes effect on the same date as GWA distribution).~~
 - (b) ~~The employee did not receive the full GWA amount because of the pay range maximum limitation.~~
- (3) ~~Amount.~~ The amount of the Annualized GWA Payment is subject to the limitations under (a) and (b), below:
 - (a) ~~For employees who qualify for an Annualized GWA Payment because of the condition described under (2)(a) above: The hourly amount used in calculating an Annualized GWA Payment will equal the full GWA amount~~

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~~—(i.e., 2.0% on December 9, 2007 and 1.0% on July 6, 2008).~~

~~(b) For employees who qualify for an Annualized GWA Payment because of the condition described under (2)(b) above: The hourly amount used in calculating an Annualized GWA Payment will equal the difference between the full amount (i.e., 2.0% on December 9, 2007 and 1.0% on July 6, 2008) and the partial GWA amount the employee actually received.~~

~~(4) Calculating Annualized GWA Payments. Annualized GWA Payments will be calculated by multiplying the hourly amount determined to be appropriate for the employee in accordance with (3) above, by 2088 for December 9, 2007 and July 6, 2008. Annualized GWA Payments provided to permanent part-time or seasonal employees will be prorated on the basis of budgeted percentage of Full-Time Equivalency (FTE) on the GWA distribution date.~~

~~(5) Annualized GWA Payments for Employees on Approved Unpaid Leaves of Absence. Any employee who is on an approved unpaid leave of absence as of the effective date of the GWA and who qualifies for an Annualized GWA Payment, will receive an Annualized GWA Payment, subject to the following restrictions:~~

~~(a) The employee must return from the leave of absence to pay status by July 4, 2009, and the employee's restoration right must be derived from a position covered by the GWA provisions of this Section (Section A) or Section C of this Plan.~~

~~(b) The employee will not receive an Annualized GWA Payment until he or she has returned to pay status.~~

~~(c) The hourly amount used in the calculation of any Annualized GWA Payment will equal the amount determined under (3), above.~~

~~**2.03 Lump Sum Payments Provided to Compensate for the Delay of the FY 2007-2008 GWA**~~

~~The same employees who are excluded from the GWA and Annualized GWA under 2.01 and 2.02 of this Section (Section A) are also excluded from these lump sum payment provisions.~~

~~(1) Granting Date. Lump sum payments will be granted as soon as administratively feasible after December 9, 2007.~~

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- ~~(2) Eligibility. Any employee, including any employee who retired or died between June 24, 2007 and the effective date of the GWA, who received a FY 2007-2008 GWA under 2.01 of this Section (Section A) is also eligible to receive a lump sum payment if the employee is in pay status during the period June 24, 2007 through December 8, 2007.~~
- ~~(3) Amount.~~
- ~~(a) The amount of an employee's lump sum payment will be equal to the hourly base pay increase granted to the employee as a FY 2007-2008 GWA multiplied by the number of hours in pay status during the period from June 24, 2007 through December 8, 2007.~~
- ~~(b) This payment is not the equivalent of a retroactive adjustment. Intervening pay and benefit transactions effective June 24, 2007 through December 8, 2007 will not be reconstructed.~~
- ~~(4) Lump Sum Payments for Employees on Approved Leave of Absence. Any employee who is on an approved unpaid leave of absence as of December 9, 2007, and who is granted a FY 2007-2008 GWA upon restoration, will also receive a lump sum payment if the employee had any hours in pay status during the period June 24, 2007 through December 8, 2007, subject to the following:~~
- ~~(a) The employee must return from the leave to pay status by July 4, 2009, and the employee's restoration right must be derived from a position covered by provisions of this Section (Section A).~~
- ~~(b) The employee will not receive a lump sum payment until returning to pay status.~~

There will be no GWA or Annualized GWA in either year.

2.042.02 Relocation Incentive Awards

- (1) Effective Dates and Amounts. Noncumulative Relocation Incentive Awards may, at the discretion of the appointing authority, be granted to employees who relocate, pursuant to s. 20.917(1)(a) and (b), Wis. Stats., as a result of promotion or transfer. Noncumulative Relocation Incentive Awards will be granted in the form of one time payments in any whole dollar increment up to an amount equal to 125% of the monthly minimum specified in the applicable Compensation Plan for the pay range to which the employee's new position classification is assigned. The award must be approved at the time of appointment. The appointment letter will specify the amount of the award and indicate that approval is contingent upon reimbursement for his or her moving expenses. The award may be paid at any time within three months after the employee has received such reimbursement.

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- (2) Eligibility. Permanent employees covered by this Section (Section A) who meet the eligibility criteria for moving expense reimbursement under s. 20.917(1)(a) and (b), Wis. Stats., are eligible for Relocation Incentive Awards provided the employing agency has written criteria approved by OSER, Division of Compensation and Labor Relations. These criteria must ensure that relocation incentive awards will be distributed in a uniform manner throughout the agency or employing unit.
- (3) Funding. These awards are funded from each agency's salary line appropriation.

2.052.03 Progression Adjustment for Certain Nonrepresented Classifications

- (1) Eligibility. All permanent and project employees in positions allocated to classifications specified in (2) below, will be eligible for a base-building progression adjustment, except as follows:
 - (a) An employee whose base pay rate is equal to or greater than the appropriate threshold stated in (2) below.
 - (b) An employee who has received an unsatisfactory performance evaluation within six (6) months prior to the granting date. The denial of a progression adjustment based upon unsatisfactory performance is not grievable under s. 230.12(5)(c), Wis. Stats. Employees must be notified of the unsatisfactory performance in writing, and will receive a new performance evaluation within six (6) months, or prior to the next scheduled progression adjustment date, whichever is sooner. The written notification(s) will include:
 - 1) Details of each occurrence of unsatisfactory performance;
 - 2) Identification of goals and expectations stated in terms that are measurable and which specify how expectations are to be accomplished; and
 - 3) Upon satisfactory completion of the goals and expectations, the supervisor will provide the employee with written notification of satisfactory performance.
 - (c) An employee who has already received two (2) progression adjustments in any position(s) under 2.05 of this Section (Section A).
 - (d) An employee who has previously received the maximum number of possible progression adjustments for the employee's classification, taking into account progression adjustments received while in any position(s) under this or any similar progression adjustment system provided by collective bargaining agreements. For the purpose of this

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eligibility, “any similar progression adjustment system” shall be defined as any progression system that provides one or two time annual per hour rate adjustments (i.e., not providing specific pay rates, except for a maximum adjustment rate).

(2) Amount.

(a) An eligible employee in a position allocated to one of the following classifications will receive a progression adjustment of \$1.20 per hour on the granting date, subject to the **pay range 81-03 minimum**.

- 1) Accountant-Confidential
- 2) Equal Opportunity Program Specialist
- 3) Executive Equal Opportunity Specialist
- 4) Executive Human Resources Specialist
- 5) Human Resources Specialist
- 6) IS Support Technician-Confidential
- 7) IS Professional-Confidential

(b) An eligible employee in a position allocated to one of the following classifications will receive a **one-time progression adjustment** of \$1.20 per hour on the granting date, subject to the **pay range 81-03 minimum**.

- 1) Budget and Policy Analyst-Agency
- 2) Budget and Policy Analyst-Division
- 3) Employee Benefit Plan Policy Advisor-Entry
- 4) Ethics Specialist
- 5) Institution Human Resources Director
- 6) UW Human Resources Manager

(c) An eligible employee in a position allocated to Payroll and Benefit Specialist-Confidential will receive a progression adjustment of \$1.00 per hour on the granting date, subject to the **pay range 81-04 minimum**.

(d) The individual increase limit provided in s. 230.12(5)(d), Wis. Stats., does not apply to progression adjustments granted pursuant to provisions of 2.05 of this Section (Section A).

(e) **An employee may not, for any reason, receive more than two (2) progression adjustments under 2.05 of this Section (Section A).**

(3) Granting Date.

(a) Progression adjustments for eligible employees will be awarded based on the employee’s State service seniority date. Seniority dates will be adjusted (for progression adjustment purposes only) for absence from employment of more than one hundred and seventy four (174) work hours during the period between seniority dates, approved leaves of absence,

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layoff, and resignation. Adjustment of seniority for the aforementioned reasons may be waived at the discretion of the appointing authority.

- (b) Progression adjustments will be effective on the first day of the pay period following the employee's seniority date. If the employee's seniority date occurs on the first day of a pay period, the progression adjustment will be effective on that date.
- (c) An employee who is ineligible for the progression adjustment due to unsatisfactory performance will receive the progression adjustment effective the first day of the pay period following the employee's receipt of the written satisfactory performance evaluation. An employee will not be allowed to receive more than one progression adjustment on a granting date due to such a delay.

2.062.04 Discretionary Compensation Adjustment (DCA)

Discretionary Compensation Adjustments (DCAs) shall be granted in accordance with Section J of this Plan.

3.00 Pay on Regrade

3.01 Individual Position Reallocation or Reclassification

Pursuant to s. 230.09(2)(f), Wis. Stats., the pay rate of an incumbent who is regraded as a result of position reallocation or reclassification will be adjusted as provided in this Section (Section A), and Sections E and I of this Plan. This supersedes s. ER 29.03 (3), Wis. Adm. Code.

3.02 Compensation and/or Classification Surveys

The OSER Director may, without prior approval of the Joint Committee on Employment Relations (JCOER), establish provisions for determining the pay rate of a regraded employee whose position is reallocated as a result of a compensation survey and/or a classification survey under s. 230.09(2)(b), Wis. Stats., if such provisions are necessary to avoid the creation of pay anomalies. **The OSER Director may also, for surveys, waive the increase of 8.0% of the new pay range minimum for regrades due to reallocations to a higher classification or series level, provided in Sections E and I of this Plan.** This authority is subject to the following:

- (1) The pay on regrade for survey reallocations involving only nonrepresented employees is authorized only for regrade as a result of position reallocation to the same, counterpart or higher pay range and will not exceed 8.0% of the new pay range minimum, subject to the maximum of the new pay range.
- (2) The pay on regrade authorized by 3.02 of this Section (Section A) will not exceed the greater of the following:

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- (a) the amount negotiated pursuant to s. 111.91, Wis. Stats., for similarly situated represented employees in the same occupational group who are covered by the same compensation and/or classification survey; or
 - (b) 8.0% of the applicable pay range minimum.
- (3) The cost of any adjustments provided under (1) above, may be supplemented under s. 20.928, Wis. Stats., as appropriate, with respect to funding source.
 - (4) The individual increase limit provided in s. 230.12(5)(d), Wis. Stats., does not apply to base pay adjustments granted pursuant to 3.02 of this Section (Section A).

3.03 Surveys with Different Implementation Dates

The provisions of 3.02 of this Section (Section A) will apply to situations where surveys of an occupational group are conducted in stages requiring different implementation dates. Any pay adjustments resulting from such application of the provisions of 3.02 shall be granted on the effective date of full survey implementation.

3.04 Intervening Adjustments

The intervening Compensation Plan adjustments pursuant to 3.02 of this Section (Section A) may be included in determining pay on reinstatement and pay on restoration.

4.00 Overtime, Supplemental, and Holiday Pay

4.01 Definitions

- (1) **Base pay rate.** The official hourly rate excludes any overtime or supplemental pay. Base pay rate is limited to the pay range maximum; base pay rate plus any supplemental pay received is not limited to the pay range maximum.
- (2) **Exempt.** Exempt from the overtime provisions of the Fair Labor Standards Act (FLSA).
- (3) **Night hours.** Work hours between the hours of 6:00 p.m. and 6:00 a.m.
- (4) **Nonexempt.** Subject to the overtime provisions of the FLSA.
- (5) **Nonstandard work period.** A regularly recurring period of 336 hours in the form of 14 consecutive 24-hour periods which begins on a day of the week and time established by the appointing authority. Employees assigned a nonstandard work period are those employees who work a fixed schedule of more than 40 hours one week and less than 40 hours the next week.

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- (6) **Overtime hours.** For employees assigned a standard workweek, work hours in excess of 40 in a standard workweek. For employees assigned a nonstandard work period, work hours in excess of 80 hours in a nonstandard work period. Each position is considered separately in determining the number of work hours for employees occupying more than one position. (This definition applies only to employees who are exempt from the overtime provisions of the FLSA. Refer to Chapter 520 of the Wisconsin Human Resources Handbook for the definition of overtime as provided by the FLSA for nonexempt employees.)
- (7) **Premium rate.** The straight rate plus .5 times the regular rate paid the employee.
- (8) **Regular rate.** The average hourly rate actually paid the employee as straight time pay for all hours worked in the workweek or work period, including all remuneration for employment paid to, or on behalf of, the employee, except any payments specifically excluded from the calculation of the regular rate under the FLSA and related federal regulations.
- (9) **Responsibility hours.** Work hours between the hours of 5:00 p.m. and 7:00 a.m.
- (10) **Standard workweek.** A regularly recurring period of 168 hours in the form of 7 consecutive 24-hour periods which begins on a day of the week and time established by the appointing authority.
- (11) **Supplemental pay.** Pay in addition to the base rate for circumstances not reflected in the base pay rate or pay range. Such circumstances are identified below under 4.05 - 4.10, 4.12 - 4.19, and 4.21 – 4.26.
- (12) **Weekend hours.** Work hours on Saturday and Sunday.
- (13) **Work hours.** Work time as directed by the appointing authority during which an employee must be on duty and/or at a prescribed place of work. In determining overtime hours for nonexempt employees, work hours means hours worked as defined in Chapter 520 of the Wisconsin Human Resources Handbook.

4.02 General Policy

- (1) **Usage.**
Overtime and supplemental pay is to be held to a minimum consistent with the needs of the service. It is the responsibility of each agency to utilize other available alternatives before assigning employees to work hours that will require such pay.
- (2) **Records.** All cash overtime and supplemental pay will be separately recorded on payroll and will cease to be payable when no longer applicable.

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(3) Application during Absences or Termination.

- (a) Absences. Overtime or supplemental pay, identified under 4.03, 4.04, 4.05, 4.06, 4.07, 4.09, 4.10, and 4.11 below, will not be paid to an employee absent or on leave with pay (vacation, sick leave, military leave, etc.) during the period in which the employee would otherwise be scheduled to work.
- (b) Termination. Supplemental pay, identified under 4.08, 4.12 - 4.19, and 4.21 - 4.26 below, will be included in computing lump sum payments for leave credit balances upon termination. It will **not** be included for computing cash payments for employees selecting the cash option for the fifth week of annual leave (reference s. ER 18.02(5)(b)3., Wis. Adm. Code).

(4) Salaried Employees.

Employees who meet the duty and discretion test for exemption from the overtime provisions of the FLSA as professional, administrative, or executive employees must be paid on a "salary basis" as defined in the federal regulations and explained in Chapter 520 of the Wisconsin Human Resources Handbook. Exceptions to the requirement to be paid on a salary basis may be granted by the Administrator, Division of Compensation and Labor Relations.

NOTE: Refer to 4.20 of this Section (Section A) for overtime and supplemental pay for project employees; Section B, 3.08 of this Plan for overtime and supplemental pay for unclassified employees; and Section D, 4.00 of this Plan for overtime and supplemental pay provisions for limited term employees (LTEs).

4.03 Overtime for Permanent Employees

Employees are categorized as exempt or nonexempt in accordance with FLSA. Refer to the most current "Alphabetical Listing of Classifications" for the normal categorization of employees by "class title." Unless an exception applies, for purposes of this Section (Section A), employees in titles designated as exempt (E) will be treated as exempt and employees in titles designated as nonexempt (N) or mixed (M) will be treated as nonexempt. Refer to Chapter 520 of the Wisconsin Human Resources Handbook for an explanation of exempt and nonexempt status under the FLSA. Refer to Chapter 520 of the Wisconsin Human Resources Handbook for information on exceptions to the normal FLSA categorization of employees by classification title.

(1) Overtime for Nonexempt Employees.

Overtime pay for employees who are nonexempt from the overtime provisions of the FLSA will be in accordance with those provisions and related federal regulations. Categorizing employees as exempt or nonexempt will be in accordance with the FLSA. In general, categorization is based on each employee's employment situation with an agency, regardless of the number of

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positions occupied by the employee in the agency. For employees functioning in an executive, administrative, or professional capacity, categorization cannot be based on the functions performed for the agency in any single workweek or work period. Temporary assignments of short duration will not normally affect the exempt or nonexempt status of employees. Refer to Chapter 520 of the Wisconsin Human Resources Handbook for specific information on the overtime provisions and record keeping requirements for nonexempt employees under the FLSA.

(2) Overtime for Exempt Employees.

- (a) The overtime pay status of permanent employees who are exempt from the overtime provisions of the FLSA will be determined in accordance with the following table. The table shows the overtime pay status of employee groups broken down by Data Processing (DP) Unit Code (i.e., collective bargaining code).

OVERTIME PAY STATUS TABLE FOR EXEMPT EMPLOYEES		
Employee Group or Unit	DP Unit Code	Overtime Pay Status
GROUP 1		
Confidential (Nonprofessional)	(97)	Up to the premium rate or up to Time off at 1-1/2 times the # of overtime hours. (Permissive) See additional provisions for 'Limited Circumstances When Supervisors Must Receive Overtime Compensation,' 4.03(2)(b)2. of this Section (Section A).
Supv./Conf. (Nonprofessional)	(96)	
Supervisory (Nonprofessional)	(16)	
Supv./Conf. (Professional)	(98)	
Supervisory (Professional)	(17)	
GROUP 2		
Professional Confidential*	(99)	Up to the straight rate or time off for the # of overtime hours. (Permissive)
Staff & Management	(18)	
Patient Treatment	(10)	
Exec & Management	(19)	

*NOTE: This table applies only to employees who are exempt from the overtime provisions of the FLSA. See Chapter 520 of Wisconsin Human Resources Handbook for record keeping requirements pertaining to exempt employees under the FLSA.

(b) Provisions for Permanent Salaried Employees.

1. General Policy Regarding Payment for Overtime Worked by Salaried Employees.

The salaries paid to employees included in the Overtime Pay Status Table are generally intended to compensate for the total responsibilities of the position regardless of the number of hours worked. However, circumstances may exist where time off or cash payment for overtime hours is appropriate. Time off or cash payment authorized may be granted to exempt employees at the discretion of the appointing authority except where additional compensation is required. (See Limited Circumstances When Supervisors Must Receive Overtime Compensation, 4.03(2)(b)2. of this Section.)

The following factors will be used by agencies as a basis to establish practices for additional compensation for overtime hours:

- a. The number of additional hours of scheduled work required by the employer on a frequent and recurring basis (i.e., if only a few overtime hours are worked on an occasional basis, additional compensation should not normally be granted).
- b. The standards or expectations of the occupational area (i.e., in some occupations it is customary to work overtime hours without additional payment).
- c. The status of additional compensation for overtime hours paid to subordinates or comparable employees (i.e., the employee is supervising staff earning additional compensation for overtime hours, or the employee is working under similar conditions with employees comparable to employees in the category who are earning additional compensation for overtime hours).

2. Limited Circumstances When Supervisors Must Receive Overtime Compensation.

If **all** of the following conditions apply to a supervisor included in Group 1 of the 'Overtime Pay Status Table for Exempt Employees' (see previous page), the supervisor must be paid overtime compensation in accordance with 3. below:

- a. The supervisor's position is assigned to pay range 81-04 or a counterpart pay range in a different schedule or lower; or, the supervisor's position is allocated to one of the following classifications: Engineering Specialist Supervisor or Engineering Specialist-Transportation Supervisor;

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- b. The supervisor is directed to work hours in addition to his/her normal work hours and such additional work hours result in overtime hours;
 - c. The purpose of the additional work hours is to supervise employees who also are directed to work additional hours;
 - d. The additional work hours of the employees supervised generate overtime compensation for that workweek or work period; and
 - e. The additional work hours of both the supervisor and employees supervised are generated by the same cause or situation.
 3. Calculating Overtime Compensation When Supervisors Must Receive Overtime Compensation Under the Limited Circumstances Set Forth in 2., Above.
 - a. Employees in professional supervisory (DP Unit Code 17) and professional confidential/supervisory (DP Unit Code 98) positions will be compensated on an hour-for-hour basis at no less than their regular rate of compensation in cash or equivalent time off.
 - b. Employees in nonprofessional supervisory (DP Unit Code 16) and nonprofessional confidential/supervisory (DP Unit Code 96) positions will be compensated at the premium rate or granted time off at the number of overtime hours multiplied by 1.5.
- (c) General Administrative Provisions.
 1. Appointing authorities will have discretion to approve scheduled use of time off earned in lieu of cash payment for overtime hours.
 2. Time off earned in lieu of cash payment for overtime hours which cannot be scheduled by the appointing authority within 12 months after the end of the calendar year in which the time is earned will be paid in cash at the employee's current regular rate times the unused time off hours earned.
 3. Payment of overtime will be in addition to the premium rate paid for holiday work incurred during the established workweek or work period.

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4.04 Overtime During a Declared Emergency

During a declared emergency under ss. 20.922(2) and 20.901 (1)(b), Wis. Stats., employees who are not required to respond to declared emergencies as part of their broader job responsibilities may be temporarily assigned to perform duties which are not normally performed or which are not described in the employee's position description. When such assignments result in overtime hours which are directly attributable to the declared emergency, the employee will receive the premium rate or will be credited with compensatory time off at the rate of 1.5 hours for each overtime hour worked. For more information, refer to Chapter 520 of the Wisconsin Human Resources Handbook.

4.05 Night Differential for Permanent Employees

(1) Eligibility.

Subject to (2) below, all permanent classified employees are eligible except for employees whose positions are classified as Director of Nursing, Health Services Nursing Coordinator, Nursing Administrator, Nursing Practitioner-Management, and Nursing Supervisor.

NOTE: For provisions relating to supplementary pay for project employees see 4.20 of this Section (Section A).

(2) General Administrative Provisions.

- (a) The payment of Night Differential is mandatory for all qualifying work hours of employees who are paid on an hourly rather than a salary basis.
- (b) The payment of Night Differential is at the discretion of the appointing authority for all qualifying work hours of employees who are paid on a salary basis.

(3) Rate.

- (a) Forty-five cents (\$0.45) per hour for all night hours worked (i.e., work hours between the hours of 6:00 p.m. and 6:00 a.m.).
- (b) Work hours are defined as work time as directed by the appointing authority during which an employee must be on duty and/or at a prescribed place of work. In determining overtime hours for nonexempt employees, work hours means hours as defined in Chapter 520 of the Wisconsin Human Resources Handbook.

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4.06 Weekend Differential for Permanent Employees

(1) Eligibility.

Subject to (2) below, all permanent classified employees are eligible.

NOTE: For provisions related to supplementary pay for project employees see 4.20 of this Section (Section A).

(2) General Administrative Provisions.

- (a) The payment of Weekend Differential is mandatory for all qualifying work hours of employees who are paid on an hourly rather than a salary basis.
- (b) The payment of Weekend Differential is at the discretion of the appointing authority for all qualifying work hours of employees who are paid on a salary basis.

(3) Rate.

- (a) Sixty cents (\$0.60) per hour for all weekend work hours (i.e., work hours on Saturday and Sunday).
- (b) Work hours are defined as work time as directed by the appointing authority during which an employee must be on duty and/or at a prescribed place of work. In determining overtime hours for nonexempt employees, work hours means hours as defined in Chapter 520 of the Wisconsin Human Resources Handbook.

4.07 Responsibility Differential for Permanent Positions in Certain Nursing Related Classifications

- (1) Eligibility. Subject to (2) below, all permanent classified employees whose positions are classified as Director of Nursing, Health Services Nursing Coordinator, Nursing Administrator, Nursing Practitioner-Management, and Nursing Supervisor are eligible.

NOTE: Employees whose positions are classified as Director of Nursing, Health Services Nursing Coordinator, Nursing Administrator, Nursing Practitioner-Management, and Nursing Supervisor are not eligible for the Night Differential provided under 4.05 of this Section (Section A).

NOTE: For provisions related to supplementary pay for project employees see 4.20 of this Section (Section A).

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- (2) General Administrative Provisions.
 - (a) The payment of Responsibility Differential is mandatory for all qualifying work hours of employees who are paid on an hourly rather than a salary basis.
 - (b) The payment of Responsibility Differential is at the discretion of the appointing authority for all qualifying work hours of employees who are paid on a salary basis.
- (3) Rate.
 - (a) One dollar and forty cents (\$1.40) per hour for all responsibility hours (work hours between 5:00 p.m. and 7:00 a.m.).
 - (b) Work hours are defined as work time as directed by the appointing authority during which an employee must be on duty and/or at a prescribed place of work.

4.08 Crafts Worker Supervisor, Shop Supervisor, and Crafts Operations Manager-UW-Milwaukee Add-On

- (1) Crafts Worker Supervisors will be paid one dollar (\$1.00) per hour more than the adjusted state rate for the highest paid Craft supervised, or one dollar (\$1.00) per hour more than the adjusted state rate for the craft in which they have journeyman status, whichever is greater.
- (2) Shop Supervisors will be paid one dollar and fifty cents (\$1.50) per hour more than the pay rate established in accordance with (1) above, for the highest paid Crafts Worker Supervisor supervised, or one dollar and fifty cents (\$1.50) per hour more than the adjusted state rate for the craft in which they have journeyman status, whichever is greater.
- (3) Crafts Operations Manager, UW Milwaukee will be paid the greater of the following rates:
 - (a) Two dollars (\$2.00) per hour more than the greater of the pay rates established in accordance with (1) or (2) above, for the highest paid Crafts Worker Supervisor or Shop Supervisor supervised, or
 - (b) Two dollars (\$2.00) per hour more than the adjusted state rate for the craft in which they have journeyman status.

NOTE: The supervisory add-ons provided under 4.08 above, will always be based on the adjusted state rate for the 84/100 hours of annual leave established in accordance with the building trade crafts collective bargaining agreement. The applicable adjusted state prevailing rate is considered to be the base pay rate for pay administration purposes.

4.09 Standby Pay

When the appointing authority requires that an employee be available for work and be able to report to work in less than one hour, the appointing authority may grant standby pay for each hour in standby status at the rate of \$2.25 per hour or at the rate a represented employee is paid if on standby to perform the same duties. Standby pay is mandatory for nonprofessional confidential employees at a rate of at least \$2.25 for each hour in standby status.

Supervisors may be granted standby pay pursuant to the above paragraph or at the same rate as any subordinate who is on standby at the same time.

4.10 Call-Back/Call-In Pay

The appointing authority may guarantee a minimum of two hours pay when an emergency situation exists and an employee is called back for duty or called in on the employee's day off. The guaranteed minimum of two hours pay will be mandatory for:

- (1) Nonprofessional confidential employees; and
- (2) Supervisory employees when call-back/call-in work hours plus other work hours cause the employee to receive mandatory overtime pay under 4.03(2)(b)2 of this Section (Section A).

4.11 Holiday Premium

Compensatory time off or payment at the premium rate will be granted for holiday work hours as provided in s. 230.35 (4)(b), Wis. Stats.

4.12 Supplemental Pay for Psychologists

- (1) Subject to the eligibility requirements of (3) below, the amount provided as the minimum in the table below will be added to the base pay of an employee whose position has been allocated to one of the following classifications: Psychologist Supervisor; Psychologist Supervisor Management; Psychologist Manager and Psychologist Chief.
- (2) An additional amount, up to the maximum shown in the table below, may also be granted. The appointing authority has the sole discretion to approve,

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modify or deny the additional add-on amount based on external market conditions affecting the recruitment and retention of employees with doctorates in the psychology subspecialty required by the position. Such amounts may differ by geographic area and by subspecialty. Differences in add-on amounts may not be based on differences in the level of managerial or supervisory functions performed. These differences are reflected in the base pay range assignment of the classification. Pursuant to s. 230.12(1)(c), Wis. Stats., supplemental pay may not be granted for circumstances reflected by the base pay rate or range.

- (3) In order to be eligible for the add-on, the employee must possess a recognized Doctorate in Psychology or a related field such as Behavioral Disabilities. Employees who possess an equivalent to a Doctorate, as evidenced by licensure by the Psychology Examining Board, will also be eligible.
- (4) The Psychologist add-on will be effective at the beginning of the first pay period following receipt by the appointing authority of proof of such Doctorate or licensure.

PSYCHOLOGIST ADD-ON	
December 9, 2007 – July 5, 2008	July 6, 2008 – July 4, 2009 <u>July 5, 2009 – July 2, 2011</u>
\$3.70 – mandatory minimum \$5.12 – maximum*	\$3.74 – mandatory minimum \$5.18 – maximum*

*Any amount above the mandatory minimum, subject to this maximum, is granted at the discretion of the appointing authority.

4.13 Supplemental Pay for Attorney Supervisory and Managerial Positions

- (1) This supplemental pay provision applies to Attorney positions allocated to Supervisory, Confidential/Supervisory or Management classifications who supervise one or more permanent Attorney positions.
- (2) The actual responsibility add-on amount paid to an employee may be any amount up to the maximum rate. The maximum rate allowable will not exceed **\$2.75 per hour**.
- (3) The appointing authority has the discretion to grant or adjust supplemental pay subject to the maximum allowable amounts based on their analysis of the organizational structure, internal and external relationships, size of staff supervised and any other reasonable criteria deemed appropriate. The department will immediately discontinue the add-on when the Attorney is no longer employed in a position allocated to a supervisory or managerial classification. Failure to do so will result in a salary overpayment that must be recovered by the appointing authority.

4.14 Supplemental Pay for Teacher Supervisors, Education Directors, and Juvenile Education Directors

- (1) An add-on amount may be paid to supplement the base pay of an employee whose position is allocated to the Teacher Supervisor, Education Director, or Juvenile Education Director classification, based on credits earned from an accredited college or university over and above those needed for basic certification as a teacher or education director, as provided in the schedule below.
- (2) In order to be eligible for the add-on, the appointing authority must make a determination that the additional credits on which the add-on is based are relevant to the duties and responsibilities of the position. The appointing authority will have the discretion to determine the relevance of the credits.
- (3) ~~Effective June 8, 2008, when~~ When an eligible employee successfully completes one of the following, the employee shall be eligible for a Professional Development Step as provided in the table below:
 - (a) A job-required professional development plan, pursuant to chapter PI 34, Wis. Adm. Code;
 - (b) Six credits as part of the job-required professional development plan; or
 - (c) Six job-relevant credits excluding the first six of any professional development plan.
 - (d) An employee will not receive an additional step under (a) above, if credits involved were used to receive a step under (b) above.
- (4) If granted, the add-on will be effective at the beginning of the first pay period following receipt by the appointing authority of proof that the relevant credits were earned.
- (5) If the incumbent moves from the position for which an add-on amount has been determined to be appropriate to a position not allocated to one of these classifications, the add-on shall cease. If the incumbent moves to another position allocated to one of these classifications, the appointing authority shall re-evaluate the additional credits beyond those needed for basic certification and establish which are relevant to the new position. It is on these credits that any add-on to be applied will be based.

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TEACHER SUPERVISOR, EDUCATION DIRECTOR AND JUVENILE EDUCATION DIRECTOR SUPPLEMENTAL PAY AMOUNTS										
HOURLY ADD-ON AMOUNTS										
December 9, 2007 – June 7, 2008										
	\$0.97	\$1.22	\$1.47	\$1.72	\$1.97	\$2.22	\$2.47	\$2.72	\$2.97	
NUMBER OF CREDITS BEYOND BACHELOR'S/MASTER'S DEGREE										
Bachelor's Degree plus:	6	12	18	24	30	36	42	48	54	
Master's Degree plus:					0	6	12	18	24	

TEACHER SUPERVISOR, EDUCATION DIRECTOR AND JUVENILE EDUCATION DIRECTOR SUPPLEMENTAL PAY AMOUNTS										
HOURLY ADD-ON AMOUNTS										
June 8, 2008 – July 4, 2009 July 5, 2009 – July 2, 2011										
	\$0.97	\$1.22	\$1.47	\$1.72	\$1.97	\$2.22	\$2.47	\$2.72	\$2.97	
NUMBER OF CREDITS BEYOND BACHELOR'S/MASTER'S DEGREE										
Bachelor's Degree plus:	6	12	18	24	30	36	42	48	54	
Professional Development Plan Steps:	A	B	C	D	E	F	G	H	I	

The above add-on amounts apply only to classifications eligible for the supplemental pay add-on.

4.15 Supplemental Pay for Dentists, Physicians, and Psychiatrists

Permanent and project employees whose positions require the possession of a license to practice medicine pursuant to s. 448.05, Wis. Stats., are covered by all of the provisions of 4.15 of this Section (Section A). These positions are classified as Physician Supervisor, Physician Management, Psychiatrist Supervisor, or Psychiatrist Management. Permanent and project employees in positions classified as Dentist Supervisor or Dentist Management are covered by part (2) of 4.15 only.

- (1) Supplemental Pay for Board Certification and Board Certification Eligibility.

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Subject to (a) through (e) below, the appointing authority has the authority to determine supplemental pay in accordance with the schedule of supplemental pay amounts provided under (f) below, for Board Certification eligibility or Board Certification.

- (a) Board Certification Eligibility. An employee in a position for which the appointing authority requires Board Certification and who has been certified by the appropriate Medical Specialty Board as having achieved the required Board Certification eligibility may be granted supplemental pay up to the amount shown in the table below, at the discretion of the appointing authority. No credit will be given for Board Certification eligibility in a specialty not directly related to the employee's position, as determined by the appointing authority.
- (b) Board Certification. An employee in a position for which the appointing authority requires Board Certification and who has been certified by the appropriate Medical Specialty Board for the required certification may be granted supplemental pay within the range provided in the table below. No credit will be given for Board Certification in a specialty not directly related to the employee's position, as determined by the appointing authority.
- (c) Supplemental pay may only be granted upon receipt of written evidence of Board Certification eligibility or Board Certification. All supplemental pay adjustments will be effective at the beginning of the pay period following the determination by the appointing authority that the employee has presented sufficient evidence of the Board Certification eligibility or Board Certification required for the position. Supplemental pay will be discontinued by the appointing authority whenever the Physician or Psychiatrist is no longer employed in a position for which the appointing authority requires the Board Certification.
- (d) Any employee who was already receiving supplemental pay for Board Certification on November 26, 1995, in an amount that was greater than fifteen percent (15%) of the minimum of the pay range that took effect on November 26, 1995, will retain at least that amount while in the position the employee occupied on that date.
- (e) Employees eligible for supplemental pay are limited to one supplemental pay amount to reflect either Board Certification Eligibility or Board Certification. There will be no pyramiding of supplemental pay provided in accordance with these provisions (Section A, 4.15(1) of this Plan).
- (f) Schedule of Supplemental Pay Amounts for Board Certification and Board Certification Eligibility.

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Schedule of Supplemental Pay Amounts for Board Certification And Board Certification Eligibility		
Pay Range (Classification)	December 9, 2007 - July 5, 2008	
	Board Certification Eligibility	Board Certification
Pay Range 50-51 (Physician Supv.) (Physician Mgt.)	NTE - \$6.39/hr.	\$9.57 - \$19.12/hr.
Pay Range 50-52 (Psychiatrist Supv.) (Psychiatrist Mgt.)	NTE - \$6.96/hr.	\$10.43 - \$20.85/hr.
Pay Range (Classification)	July 6, 2008 - July 4, 2009 July 5, 2009 - July 2, 2011	
	Board Certification Eligibility	Board Certification
Pay Range 50-51 (Physician Supv.) (Physician Mgt.)	NTE \$6.46/hr.	\$9.67 - \$19.32/hr.
Pay Range 50-52 (Psychiatrist Supv.) (Psychiatrist Mgt.)	NTE - \$7.03/hr.	\$10.54 - \$21.06/hr.

(2) Supervisory/Management Responsibility.

Because of the variety of existing and potential future positions assigned supervisory or management responsibility, supplemental pay will be based upon such factors as organizational status, structure of the work environment, program scope and complexity, decision-making authority, policy-setting authority or any other reasonable factors. The added supplemental pay will relate to either of the two categories listed in the table below based on the designation (i.e., Supervisor or Management) in the employee's classification title.

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Schedule of Supplemental Pay Amounts for Supervisory and Management Responsibility		
Pay Range (Classification)	December 9, 2007 – July 5, 2008	
	Supervisory	Management
Pay Range 50-50 (Dentist Supv.) (Dentist Mgt.)	NTE – \$5.22/hr.	NTE – \$15.49/hr.
Pay Range 50-51 (Physician Supv.) (Physician Mgt.)	NTE – \$6.39/hr.	NTE – \$19.12/hr.
Pay Range 50-52 (Psychiatrist Supv.) (Psychiatrist Mgt.)	NTE – \$6.96/hr.	NTE – \$20.85/hr.

Pay Range (Classification)	July 6, 2008 – July 4, 2009 July 5, 2009 – July 2, 2011	
	Supervisory	Management
Pay Range 50-50 (Dentist Supv.) (Dentist Mgt.)	NTE - \$5.28/hr.	NTE - \$15.65/hr.
Pay Range 50-51 (Physician Supv.) (Physician Mgt.)	NTE - \$6.46/hr.	NTE - \$19.32/hr.
Pay Range 50-52 (Psychiatrist Supv.) (Psychiatrist Mgt.)	NTE – \$7.03/hr.	NTE - \$21.06/hr.

(b) Supplemental pay for supervisory/management responsibility may be granted, increased, or reduced based upon changes in assigned responsibilities. This type of change is not considered a promotion or demotion and, therefore, within range base pay increases will not be granted.

(c) Effective Dates.

All supplemental pay adjustments will be effective at the beginning of the pay period following the determination by the appointing authority that such adjustments are warranted in accordance with this Section (Section A). The department will discontinue supplemental pay whenever the employee is not employed in a position requiring supervisory or management responsibility.

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(3) Medical Officer of the Day Pay.

Physicians or Psychiatrists assigned as Medical Officer of the Day are responsible for all aspects of the institution's medical program on weekends and from 4:30 p.m. to 7:45 a.m. on weekdays. During these time frames, the Medical Officer of the Day is assigned both on-site responsibilities (e.g., doing rounds, making medical judgments on admissions, responding to general ward problems, etc.) and off-site responsibilities (e.g., discussing changed status of patients, prescribing treatment and medications, renewing medical orders, responding to general ward problems, etc.). Compensation for Medical Officer of the Day off-site or on-site standby duties may, upon approval of the OSER Director, be set at a rate not to exceed the usual and customary fee for such service as reflected by appropriate pay policies in the health treatment industry.

4.16 Supplemental Pay for Supervisory and Management Engineering and Related Classifications

- (1) An add-on amount of \$0.30 per hour may be paid to supplement the base pay of an employee whose position is allocated to one of the nonrepresented management or supervisory engineering and related classifications based upon the employee's possession of a license or registration as a Professional Hydrologist, Professional Soil Scientist, Petroleum Operations Engineer, or Wisconsin Registered Interior Designer.
- (2) An add-on amount of \$0.30 per hour may be paid to supplement the base pay of an employee whose position is allocated to the Construction Coordinator Supervisor based on the employee's possession of an Asbestos Supervisor certification from the Wisconsin Department of Health & Family Services.
- (3) An add-on of \$0.50 per hour may be paid to supplement the base pay of an employee whose position is allocated to one of the nonrepresented management or supervisory engineering and related classifications based upon the employee's possession of a Designer of Engineering Systems permit and for licenses as a Land Surveyor, Professional Geologist and Landscape Architect.
- (4) An add-on of \$1.00 per hour may be paid to supplement the base pay of an employee whose position is allocated to one of the nonrepresented management or supervisory engineering and related classifications based upon the employee's possession of a Professional Engineer license or an Architect registration.
- (5) To be eligible for one of these add-ons, the employee must occupy a position allocated to one of the nonrepresented supervisory or managerial engineering and related classifications and hold a current license or registration from the Department of Regulation and Licensing as a Professional Engineer, Registered Architect, Landscape Architect, Land Surveyor, Professional

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Hydrologist, Professional Soil Scientist, Petroleum Operations Engineer, Professional Geologist, or Interior Designer, or hold a permit as a Designer of Engineering Systems, or be a Construction Coordinator Supervisor and hold an Asbestos Supervisor certification from the Wisconsin Department of Health & Family Services.

- (6) The appointing authority will have the discretion to determine the relevance of the registration or permit to the position held and to authorize the hourly add-on. If granted, the add-on will be effective at the beginning of the first pay period following receipt by the appointing authority of proof that the registration or permit has been obtained and is currently held.
- (7) If the incumbent moves from the position for which an add-on has been approved by the appointing authority to a position not allocated to one of the authorized classifications, the add-on will cease. If the incumbent moves to another position allocated to one of the authorized classifications, the appointing authority of the new position has the discretion to determine whether the add-on will be continued in the new position. If an employee receiving an add-on ceases to hold a current registration or permit as the result of expiration or revocation, the add-on will cease effective at the beginning of the first pay period following the expiration or revocation date.

4.17 Certified Public Accountant (CPA) Add-On for Professional Confidential, Supervisory, or Management Fiscal Classifications

- (1) CPA Add-On (Pre-Certification). An add-on amount of twenty-five cents (\$0.25) per hour may be paid to supplement the base pay of an eligible employee whose position is allocated to one of the nonrepresented professional confidential, supervisory, or management fiscal classifications based upon the employee's successful completion of the Certified Public Accountant (CPA) examination and possession of the CPA "Notification of Grades." To be eligible for the add-on, all three of the following criteria must be met:
 - (a) The employee must be in a position that is allocated to one of the following nonrepresented professional confidential, supervisory, or management fiscal classifications: Accountant, Auditor, Financial Program Supervisor, Financial Officer, Financial Manager, Financial Management Supervisor, or agency-specific professional fiscal classification;
 - (b) The employee must successfully complete the CPA examination and possess the CPA "Notification of Grades" from the Department of Regulation and Licensing or another state; **and**,
 - (c) The CPA-related knowledge must be relevant to the position's assigned duties and responsibilities.

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- (2) CPA Add-On (Post-Certification). Upon earning the CPA certification, an additional add-on amount of twenty-five cents (\$0.25) per hour may be granted to an employee to bring the employee's total add-on amount up to fifty cents (\$0.50) per hour. To be eligible for this additional add-on amount, all three of the following criteria must be met:
 - (a) Except as indicated in (3) below, the employee must be in a position that is allocated to one of the following nonrepresented professional confidential, supervisory, or management fiscal classifications: Accountant, Auditor, Financial Program Supervisor, Financial Officer, Financial Manager, Financial Management Supervisor, or agency-specific professional fiscal classification;
 - (b) The employee must possess a current certificate from the Department of Regulation and Licensing or another state as a Certified Public Accountant; **and**,
 - (c) The CPA-related knowledge must be relevant to the position's assigned duties and responsibilities.
- (3) On a case-by-case basis, an appointing authority may request OSER's approval of CPA add-on eligibility for positions not allocated to the nonrepresented classifications identified in 4.17(2)(a).
- (4) The appointing authority will have the discretion to determine the relevance of the successful completion of the CPA examination or CPA certification to the position held and to authorize the hourly add-on.
- (5) If an add-on is granted, it will take effect at the beginning of the first pay period following the appointing authority's receipt of proof that the CPA examination has been successfully completed or proof that the CPA certification has been obtained and is currently held.
- (6) If the incumbent moves from the position for which an add-on has been approved by the appointing authority to a position not allocated to one of the authorized classifications, the add-on will cease. If the incumbent moves to another position allocated to one of the authorized classifications, the appointing authority of the new position has the discretion to determine whether the add-on will be continued in the new position, based on the criteria noted above. If an employee receiving an add-on ceases to hold a current certification as the result of expiration or revocation of such certification, the add-on will cease effective at the beginning of the first pay period following the expiration or revocation date.

4.18 Certified General Appraiser Add-On

An add-on amount of thirty cents (\$0.30) per hour may be paid to supplement the base pay of an eligible employee in a position of which the primary responsibility is property assessment or real estate appraisal, based on the employee's possession of a current certification as a Certified General Appraiser from the Department of Regulation and Licensing.

- (1) To be eligible for the add-on, the following conditions must be met:
 - (a) The employee must be in a position of which the primary responsibility is property assessment or real estate appraisal;
 - (b) The employee must possess a current certification as a Certified General Appraiser from the Department of Regulation and Licensing; and
 - (c) The General Appraiser Certification must be relevant to the position's assigned duties and responsibilities.
- (2) OSER will establish and maintain the list of classifications that qualify for the General Appraiser Certification Add-On.
- (3) The appointing authority will have the discretion to determine the relevance of the certification to the position held and to authorize the hourly add-on.
- (4) If an add-on is granted to an employee, it will take effect at the beginning of the first pay period following the appointing authority's receipt of proof that the certification has been obtained and is currently held.
- (5) If the incumbent moves from the position for which an add-on has been approved by the appointing authority to a position not allocated to one of the authorized classifications, the add-on will cease. If the incumbent moves to another position allocated to one of the authorized classifications, the appointing authority of the new position has the discretion to determine whether the add-on will be continued in the new position, based on the criteria noted above. If an employee receiving an add-on ceases to hold a current certification as the result of expiration or revocation of such certification, the add-on will cease effective at the beginning of the first pay period following the expiration or revocation date.

4.19 Supplemental Pay Program for Managers and Supervisors of Revenue Field Auditor and Related Classifications

- (1) The Department of Revenue (DOR) may develop a supplemental pay program for managers and supervisors comparable to that which was negotiated for their subordinates in Revenue Field Auditor and related positions. This supplemental pay program would apply to employees in positions allocated to the following classifications: Revenue Management Supervisor; Revenue Administrative Manager; Administrator, Division of Income, Sales and Excise Tax; and other revenue field auditor-related supervisory or managerial

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classifications with responsibility for directing positions performing or reviewing revenue field audits.

- (2) The appointing authority will have the discretion to grant or adjust add-ons, subject to the maximum allowable amount, based on criteria developed by the appointing authority. Such criteria must be approved by the OSER Director prior to the granting of any add-ons under these provisions.
- (3) Differences in add-on amounts may not be based on differences in the level of managerial or supervisory functions performed. These differences are reflected in the base pay range assignments of the classifications. Pursuant to s. 230.12(1)(c), Wis. Stats., supplemental pay may not be granted for circumstances reflected by the base pay rate or range.
- (4) Any add-on granted to an employee will take effect at the beginning of the first pay period following the appointing authority's approval of the add-on.
- (5) Any add-on will be immediately discontinued by DOR when the employee is no longer employed in the position for which the add-on was approved.

4.20 Overtime Compensation and/or Supplemental Pay for Project Employees

Except as provided in 4.04 (Overtime During a Declared Emergency) of this Section (Section A), project employees must receive the same overtime compensation and/or supplemental pay as permanent employees in the same class. Each position is considered separately in determining the number of work hours for employees occupying more than one position unless the FLSA requires that the work hours be considered jointly.

NOTE: See Section E, 2.00 and Section I, 4.04 of this Plan for provisions relating to pay upon appointment to project positions.

4.21 Supplemental Pay Program for Power Plant Supervisors, Power Plant Managers, and Power Plant Superintendents

- (1) Agencies or universities that have power plant facilities may develop a supplemental pay program comparable to that negotiated for their subordinates in Power Plant Operator and Power Plant Assistant positions. This supplemental pay program would apply to employees in positions allocated to the Power Plant Supervisor, Power Plant Manager, and the Power Plant Superintendent classifications at power plant facilities for which an add-on has been negotiated.
- (2) The appointing authority will have the discretion to grant or adjust add-ons, subject to the maximum allowable amount negotiated for the subordinates at the facility, based on criteria developed by the appointing authority. Differences in add-on amounts may not be based on differences in the level of managerial or supervisory functions performed. These differences are

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reflected in the base pay range assignments of the classifications. Pursuant to s. 230.12(1)(c), Wis. Stats., supplemental pay may not be granted for circumstances reflected by the base pay rate or range.

- (3) Any add-on granted to an employee will take effect at the beginning of the first pay period following the appointing authority's approval of the add-on.
- (4) The agency or university will immediately discontinue any add-on when the employee is no longer employed in the position for which the add-on was approved.

4.22 Supplemental Pay for Firearms Requirement at the Department of Military Affairs

Nonrepresented employees in the Department of Military Affairs who are qualified and regularly required to carry a firearm during the performance of security duties shall receive an add-on of \$2.00 per hour. For purposes of this provision, a firearm is defined as a pistol and/or rifle. The add-on will immediately cease if the employee is no longer qualified or regularly required to carry a firearm, or leaves the Department of Military Affairs.

4.23 Supplemental Pay for AALAS Certification

Employees at the University of Wisconsin-Madison who are in positions allocated to the classifications Laboratory Technical Support Supervisor and UW Agricultural Supervisor shall receive an add-on of \$1.00 per hour for any applicable AALAS certification. Employees with multiple certifications will receive no more than \$1.00 per hour. Any add-on will be immediately discontinued when the employee is no longer employed in the position for which the add-on was approved.

4.24 Supplemental Pay for Veterinary Technician Supervisors

- (1) Employees at the University of Wisconsin-Madison who are in positions allocated to the classification Veterinary Technician Supervisor shall receive an add-on of \$1.00 per hour if certified as a specialist for any of the following areas: Academy of Veterinary Emergency and Critical Care Technicians; Academy of Veterinary Dental Technicians; or Academy of Veterinary Technician Anesthetists.
- (2) Employees at the University of Wisconsin-Madison who are in positions allocated to the classification Veterinary Technician Supervisor shall receive an add-on of \$1.00 per hour for all hours worked between the hours of 6:00 p.m. and 6:00 a.m., and an add-on of \$1.00 per hour for all hours worked between 12:01 a.m. on Saturday and 12:00 p.m. on Sunday. These add-ons are in addition to any shift differential or weekend differential received.

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- (3) Any add-on provided in (1) and (2), above, will be immediately discontinued when the employee is no longer employed as a Veterinary Technician Supervisor.

4.25 Supplemental Pay for Accredited and Certified Insurance Examiner Designations

Employees at the Office of the Commissioner of Insurance who are in positions allocated to the classifications of Insurance Examiner Chief or Insurance Financial Examiner Chief shall receive an add-on of \$0.25 per hour based on the employee's designation of Accredited Insurance Examiner or Accredited Financial Examiner, respectively, after successfully meeting the requirements of an accredited program. Upon earning a Certified Insurance Examiner or Certified Financial Examiner designation appropriate for the employee's classification, an additional \$0.25 per hour will be added, bringing the total add-on amount to \$0.50 per hour. The add-on shall be effective the first day of the pay period following receipt of proof of such accreditation or certification. The employee shall no longer receive the add-on if the employee is no longer in a position allocated to one of the specified classifications or if the employee no longer meets the continuing education requirements of the designation.

4.26 Supplemental Pay for Specific Department of Natural Resources Assignments

~~Effective (the first day of the pay period following JCOER approval),~~ employees Employees at the Department of Natural Resources who are in positions allocated to the classifications of Administrative Warden, NR Law Enforcement Supervisor, NR Manager, and NR Program Manager may be provided a \$1.50 per hour add-on for performing the following duties:

- (1) Field Training Officer (FTO), including time spent completing Daily Observation Reports, field training performance evaluations and other documents directly related to assessing recruit performance during the FTO assignment;
- (2) Background Investigator; or
- (3) Instructor, instructing students in Firearms, Defensive and Arrest Tactics, Vehicle Contact, Emergency Vehicle Operations, Professional Communications or Standardized Field Sobriety Testing pursuant to their Wisconsin Department of Justice instructor certification.

The add-on will be provided only for hours performing the above duties, and only if they are duties considered outside of the employee's normal job responsibilities. Eligible hours will not include any training sessions, or travel time to or from training sessions.

4.27 Supplemental Pay for Financial Examiner Training and Education

- (1) For the positions listed below, the Department of Financial Institutions and the Office of Credit Unions may implement a supplemental pay program comparable to that which was negotiated for their subordinates in Consumer Credit Examiner, Security Examiner and Financial Examiner positions. The add-on may be provided to following positions:

Consumer Act Director
Financial Examiner Supervisor – Banking
Financial Examiner Supervisor – Credit Unions
Licensed Financial Services Director
Security Licensing and Compliance Director

On a case-by-case basis, the appointing authority may request OSER's approval of add-on eligibility for other positions.

- (2) The appointing authority may grant the add-on based on criteria and amounts negotiated for the represented position identified in (1) above.
- (3) Any add-on granted to an employee will take effect the later of October 10, 2010, or the beginning of the first pay period following two years of service or combined service in positions identified in (1) above or in the negotiated add-on.
- (4) Any add-on will be immediately discontinued when the employee is no longer employed in the position for which the add-on was approved, unless the employee continues employment in an otherwise covered position.

4.28 Supplemental Pay for Add-On Pilot Programs

- (1) An agency may develop a supplemental pay program for managers and supervisors comparable to any add-on pilot program for their subordinates during the life of any collective bargaining agreement. This supplemental pay program would apply to employees in positions allocated to supervisory or managerial classifications with responsibility for directing positions receiving an add-on.
- (2) The appointing authority will have the discretion to grant or adjust add-ons, subject to the maximum allowable amount, based on criteria developed by the appointing authority. Such criteria must be approved by the OSER Director prior to the granting of any add-ons under these provisions.
- (3) Differences in add-on amounts may not be based on differences in the level of managerial or supervisory functions performed. These differences are reflected in the base pay range assignments of the classifications. Pursuant to s. 230.12(1)(c), Wis. Stats., supplemental pay may not be granted for circumstances reflected by the base pay rate or range.

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- (4) Any add-on granted to an employee will take effect at the beginning of the first pay period following the appointing authority’s approval of the add-on.
- (5) Any add-on will be immediately discontinued when the employee is no longer employed in the position for which the add-on was approved.

5.00 Benefit Provisions

5.01 Health Insurance Premiums

As provided under s. 40.05(4)(ag), Wis. Stats., and this Plan, the state will pay health insurance premiums for its insured employees who are currently employed:

- (1) For insured part-time employees, including those in project positions as defined in s. 230.27(1), Wis. Stats., who are appointed to work less than 1044 hours per year, the state will pay 50% of the total monthly premium.
- (2) Employee contributions toward health insurance premiums shall be based on the specific tier to which their qualifying plan is assigned for employees appointed to work 1044 hours or more. Employee contributions under this three-tier approach shall be as follows:

2008 Contributions

	<u>Employee</u>	
	<u>Monthly Contribution</u>	
	<u>Single</u>	<u>Family</u>
Tier 1	\$27.00	\$68.00
Tier 2	\$60.00	\$150.00
Tier 3	\$143.00	\$358.00

2009 Contributions

	<u>Employee</u>	
	<u>Monthly Contribution</u>	
	<u>Single</u>	<u>Family</u>
Tier 1	\$31.00	\$78.00
Tier 2	\$69.00	\$173.00
Tier 3	\$164.00	\$412.00

2010 Contributions

The Office of State Employment Relations (OSER) will set Employee Monthly Contribution Rates for the 2010 coverage year, representing the average percent increase for state employee health maintenance organization plans announced by the Group Insurance Board in early fall, 2009.

2011 Contributions

The Office of State Employment Relations (OSER) will set Employee Monthly Contribution Rates for the 2011 coverage year, representing the average percent increase for state employee health maintenance organization plans announced by the Group Insurance Board in early fall, 2010.

Qualifying health insurance plans, and the tier to which each will be assigned, will be determined in accordance with standards established by the Group Insurance Board.

- (3) Pursuant to s. 230.12(1)(b), Wis. Stats., the pay system in place for nonrepresented crafts employees is based upon the pay system for represented crafts employees as established in the collective bargaining agreement between the State and the designated representative of the building trade crafts bargaining unit. Therefore, nonrepresented crafts employees, i.e., Crafts Worker Supervisors, Shop Supervisors, the Crafts Operation Manager, UW-Milwaukee, and employees in project positions allocated to a crafts classification who choose to carry health insurance, are required to pay the entire monthly health insurance premium in the same manner as that provided for represented crafts employees under the terms of the applicable collective bargaining agreement. The administrative means by which the monthly premium payments are paid will be established in a manner similar to that established for premium payment by represented employees and that does not cause undue hardship on affected employees.

NOTE: See 4.08 of this Section (Section A) for the pay provisions relating to nonrepresented crafts employees.

5.02 Retirement Contributions

- (1) As provided under s. 40.05(1)(b), Wis. Stats., and this Plan, the state payment for employee retirement contributions will equal 5% of the earnings for creditable service of each participating employee.
- (2) The State will pay the 1.0% benefit adjustment contribution required by s. 40.05(2m), Wis. Stats.

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- (3) Effective January 1, 1996, the State will pay the additional three tenths of one percent (.3%) employee share of the benefit adjustment contribution for general occupation participants required by s. 40.05(2n)2, Wis. Stats.

Administrative procedures of this schedule are developed and implemented in accordance with the directives issued by the OSER Director.

6.00 Labor-Management Cooperation Related Pilot Programs

An agency may develop a pilot program for nonrepresented employees comparable to a pilot program for represented employees established under Labor-Management Cooperation (LMC), subject to the following conditions:

- (1) The pilot program would apply only to employees in positions that have a direct relationship to the represented employees (e.g., supervisor of represented employees) working under an LMC pilot program, and/or work under the same conditions that resulted in the LMC pilot program. The appointing authority will determine which nonrepresented employees may be covered by this pilot program, and must receive approval from OSER of both the program and nonrepresented employees to be covered.
- (2) Implementation of any provisions of the pilot program will not use criteria based on differences in the level of functions performed, pay rate or pay range unless such criteria is used in the LMC pilot program.
- (3) The effective date of the program will be the beginning of the first pay period following OSER approval, or the effective date of the LMC pilot program, whichever is later.
- (4) Participation in the pilot program will cease immediately if an employee is no longer employed in a position for which the pilot program was created.
- (5) The pilot program will not be extended beyond the end date of the LMC pilot program without OSER approval.

SECTION B - COMPENSATION PROVISIONS FOR ELECTED OFFICIALS, APPOINTED EXECUTIVE SALARY GROUP EMPLOYEES, AND CERTAIN OTHER UNCLASSIFIED EMPLOYEES

1.00 Coverage

2.00 Pay Administration for Elected Officials Under s. 20.923(2) and (3), Wis. Stats.

2.01 Pay Administration for Justices and Judges

2.02 Pay Administration for Legislative Members

2.03 Pay Administration for Constitutional Officers

2.04 Pay Administration for District Attorneys

3.00 Pay Administration for Appointed Unclassified Employees

3.01 Coverage

3.02 Pay On Appointment

3.03 ESG Assignments, Pay Range Assignments and Other Pay Rate Limitations for Positions Not Assigned by Statute

3.04 Salary Adjustments for Employees Serving a Fixed Term

3.05 Base Pay Adjustments for Fiscal Years 2007-2008 and 2008-2009-2010 and 2010-2011 for Employees Not Serving a Fixed Term

~~3.06 Lump Sum Payments Provided to Compensate for the Delay of the FY 2007-2008 GWA~~

~~3.073.06~~ Pay Increases If Level of Functions Increases

~~3.083.07~~ Overtime Compensation and Supplemental Pay

4.00 Benefit Provisions

4.01 Health Insurance Premiums

4.02 Retirement Contributions

5.00 Discretionary Compensation Adjustment (DCA)

INTRODUCTION

This Section (Section B) contains provisions governing the pay of all elected officials and certain unclassified civil service employees. For elected officials, this includes the annual salary rates for each of the elective offices. For elected officials and appointed fixed-term employees, this includes an explanation of the constitutional prohibition on pay adjustments during the term of office. For appointed indefinite-term unclassified employees, this includes many of the same types of provisions contained in Section A and/or Section J for nonrepresented classified employees (General Wage Adjustment (GWA); Discretionary Compensation Adjustment (DCA); Supplemental Pay and Overtime Compensation). In addition, certain types of pay provisions analogous to those for classified employees (e.g., pay increases analogous to regrade upon reallocation and reclassification) are contained in Sections E and I of this Plan for certain appointed indefinite-term unclassified employees.

Section B – Introduction

In accordance with s. 230.12(1)(a)1.b., Wis. Stats., the pay of all unclassified civil service employees is governed by the pay provisions of the Compensation Plan, except for the following:

Employees of the University of Wisconsin System who are identified under ss. 20.923 (4g) and (5), Wis. Stats.

Employees of the legislature who are not identified under s. 20.923(4), Wis. Stats.

Employees of a legislative service agency under subch. IV of ch. 13, Wis. Stats.

Employees of the state court system.

Employees of the Investment Board identified under s. 230.08(2)(p), Wis. Stats.

One stenographer employed by each elective executive officer under s. 230.08(2)(g), Wis. Stats., and

Three sales representatives of prison industries and one sales manager of prison industries identified under s. 303.01(10), Wis. Stats.

Certain other compensation provisions, such as those relating to employer payments toward benefit contributions, are contained in this Plan. The benefit provisions cover all nonrepresented unclassified employees including those not covered by the pay provisions of this Plan.

Compensation provisions for unclassified civil service employees covered by this Plan who would be Limited Term Employees (LTEs) if their employment were in the classified service are contained in Section D.

1.00 Coverage

This Section (Section B) covers justices and judges, legislative members and constitutional officers. This Section (Section B) also covers appointed employees whose pay is governed by the Executive Salary Groups (ESGs) under s. 20.923, Wis. Stats., as well as certain other unclassified employees whose pay is not governed by the ESGs.

Covered employees occupy the following positions:

- s. 20.923(2) - Constitutional Officers and Other Elected State Officials
- s. 20.923(3) - Justices and Judges
- s. 20.923(4) - State Agency Positions (including unclassified Division Administrators listed under 3.03(2))
- s. 20.923(7) - Director and Executive Assistant of the Wisconsin Technical College System
- s. 20.923(8) - Deputies
- s. 20.923(9) - Executive Assistants
- s. 20.923(10) - Office of the Governor Staff
- s. 20.923(12) - Other Department of Regulation and Licensing Positions

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- s. 230.12(1) - All unclassified positions for which pay is covered by this Plan in accordance with s. 230.12(1)(a)1.b., Wis. Stats. All nonrepresented unclassified employees, including employees in positions not listed above, are covered by provisions governing employer contributions for health insurance premiums contained in 4.01 of this Section (Section B) and state payment of employee retirement contributions under 4.02.

NOTE: Provisions regarding employees who would be considered LFEs if their employment were in the classified service are contained in Section D of this Plan.

2.00 Pay Administration for Elected Officials under s. 20.923(2) and (3), Wis. Stats.

2.01 Pay Administration for Justices and Judges

- (1) Annual Rates for Incumbents.

The rate for office becomes the incumbent's rate at the time any judge or justice takes the oath of office in accordance with s. 20.923(3), Wis. Stats., and Article IV, Section 26, of the Wisconsin Constitution.

- (2) Annual Rates for Office.

Position	Incumbent's December 9, 2007 July 5, 2009 Pay Rate	December 9, 2007 – July 5, 2008 Rate for Office	July 6, 2008 – October 11, 2008 Rate for Office	October 12, 2008 – July 4, 2009 – July 5, 2009 – July 2, 2011 Rate for Office
Circuit Court Judge	\$122,297 <u>\$128,600</u>	\$124,744	\$125,992	\$128,600
Court of Appeals Judge	\$129,635 <u>\$136,316</u>	\$132,229	\$133,552	\$136,316
Supreme Court Justice	\$137,414 <u>\$144,495</u>	\$140,163	\$141,566	\$144,495
Supreme Court Chief Justice	\$137,414 <u>\$144,495*</u>	\$140,163*	\$141,566*	\$144,495*

* s. 20.923(2)(b), Wis. Stats., stipulates that pay established for the chief justice of the supreme court shall be different than pay established for the associate justices of the supreme court. Therefore, the chief justice of the supreme court receives a supplemental pay add-on of \$8,000.

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2.02 Pay Administration for Legislative Members

(1) Legislative Compensation, Effective Date.

Article IV, Section 26 of the Wisconsin Constitution prohibits increasing or decreasing the compensation of public officers during their term of office except that any increase in the compensation of members of the legislature will take effect, for all senators and representatives to the assembly, after the next general election beginning with the new assembly term. (Refer also to incumbent salary limitation under s. 20.923(15)(b), Wis. Stats.)

(2) Annual Rates for Office.

Position	Incumbent's December 9, 2007 July 5, 2009 Pay Rate	December 9, 2007 – July 5, 2008 Rate for Office	July 6, 2008 – July 4, 2009 July 5, 2009 – July 2, 2011 Rate for Office
Legislative Member	\$47,413 \$49,943	\$49,450	\$49,943

(3) Sick Leave Accrual for Legislators.

For the purposes of premium determinations under ss. 40.05(4) and (5), Wis. Stats., legislative members will accrue sick leave at 65% of the full time accrual rate established under s. ER 18.03, Wis. Adm. Code.

2.03 Pay Administration for Constitutional Officers

(1) Annual Rates for Incumbents.

The "Rate for Office" becomes the incumbent's rate at the time the incumbent begins his or her term of office. "Incumbent's ~~December 9, 2007~~ July 5, 2009 Pay Rate," as provided in the Chart under (2), is based on the rate for office in effect on the date the incumbent, in the office on ~~December 9, 2007~~ July 5, 2009, began his or her term of office. For the State Superintendent of Public Instruction a new term of office begins on July 6, 2009 (i.e., the first Monday in July after election). For all other Constitutional Officers listed below, the current term of office began on January 8, 2007 (i.e., the first Monday in January after election).

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(2) Annual Rates for Offices.

The "Rate for Office" for the Constitutional Offices listed in the chart below are based on the Executive Salary Groups provided in Section Z of this Plan.

Constitutional Office	Executive Salary Group	Incumbent's December 9, 2007/July 5, 2009 Pay Rate	December 9, 2007/July 5, 2008 Rate for Office	July 6, 2008/July 4, 2009/July 5, 2009/July 2, 2011 Rate for Office
State Treasurer	1	\$65,079	\$67,877	\$68,556
Secretary of State	1	\$65,079	\$67,877	\$68,556
Lieutenant Governor	4	\$72,394	\$75,505	\$76,261
State Superintendent, Public Instruction	7	\$109,587	\$118,916	\$120,111
Attorney General	10	\$133,033	\$138,752	\$140,147
Governor	10	\$137,092	\$142,987	\$144,423

2.04 Pay Administration for District Attorneys

Pursuant to s. 978.12(1), Wis. Stats., the rates for office for District Attorneys are reviewed and established in the Compensation Plan, in the manner set forth under s. 230.12(3), Wis. Stats. Pursuant to s. 978.12(1)(a)2., Wis. Stats., any individual appointed to fill a vacancy in the office of district attorney shall be compensated for the residue of the unexpired term at the same rate that applied to the individual who vacates the office filled by the appointee on the date the vacancy occurs. (Refer also to incumbent salary limitation under s. 20.923(15)(b), Wis. Stats.)

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Prosecutorial Unit Size (as determined under s. 978.12(1)(a)1., Wis. Stats.)	Incumbent's December 9, 2007 Pay Rate	December 9, 2007 – July 5, 2008 Rate for Office	July 6, 2008 – June 6, 2009 Rate for Office	June 7, 2009 – July 4, 2009 July 5, 2009 – July 2, 2011 Rate for Office
More than 500,000	\$122,470 <u>\$129,010</u>	\$127,732	\$129,010	\$131,590
More than 250,000 but not more than 500,000	\$110,560 <u>\$116,465</u>	\$115,310	\$116,465	\$118,795
More than 100,000 but not more than 250,000	\$104,872 <u>\$110,474</u>	\$109,380	\$110,474	\$112,686
More than 75,000 but not more than 100,000	\$104,872 <u>\$110,474</u>	\$109,380	\$110,474	\$112,686
More than 50,000 but not more than 75,000	\$99,742 <u>\$105,069</u>	\$104,027	\$105,069	\$107,171
More than 35,000 but not more than 50,000	\$99,742 <u>\$105,069</u>	\$104,027	\$105,069	\$107,171
More than 20,000 but not more than 35,000	\$88,912 <u>\$93,662</u>	\$92,733	\$93,662	\$95,537
Not more than 20,000	\$88,912 <u>\$93,662</u>	\$92,733	\$93,662	\$95,537

3.00 Pay Administration for Appointed Unclassified Employees

3.01 Coverage

The following employee groups are covered by the pay administration provisions of 3.00:

- (1) "ESG" employees in positions identified under ss. 20.923(4), (8), (9), and (12), Wis. Stats., in the executive or legislative branches;
- (2) "GSEG" employees in positions identified under s. 20.923(7), Wis. Stats; and
- (3) All other nonrepresented unclassified civil service ("Non-ESG") employees in the executive branch, except:

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- (c) Employees of the Investment Board under s. 230.08 (2)(p), Wis. Stats.
 - (d) Three sales representatives of prison industries and one sales manager of prison industries identified under s. 303.01(10), Wis. Stats.
 - (e) Employees who would be limited term employees if their employment were in the classified service. (See Section D)
- (4) Employees in Assistant District Attorney and Assistant State Public Defender Attorney positions covered by a collective bargaining agreement are only covered under the pay on appointment provisions of 3.02(3) and (4) of this Section (Section B).

NOTE: The legislative branch includes the legislature and legislative service agencies under subch. IV of Chapter 13, Wis. Stats. The executive branch includes all other units of state government outside the state court system. Incumbents of positions in the organized militia are employed outside the civil service and, therefore, are not covered by this Plan. See s. 230.03(6), Wis. Stats.

3.02 Pay on Appointment

- (1) The rate payable upon appointment to any unclassified civil service position identified in 3.01(1) ("ESG" position) of this Section (Section B) will be set by the appointing authority at a rate that most adequately reflects both the individual's qualifications and the economic and employment conditions prevailing at the time of appointment subject to the following restraints:
- (a) For positions identified under s. 20.923(4), Wis. Stats., the rate must be within the range of the appropriate ESG. (See 3.04 for special provisions regarding fixed-term positions under s. 20.923(4), Wis. Stats.)
 - (b) For positions identified under ss. 20.923(8) through (12), Wis. Stats., the rate must not exceed the maximum of the appropriate ESG.
 - (c) With the exception of certain University of Wisconsin System positions specified under ss. 20.923(4g), Wis. Stats., the pay of an incumbent of a position, whose salary is subject to a limitation under s. 20.923, Wis. Stats., is limited to a rate below that paid the governor (salary of the current governor).
- (2) The rate payable upon appointment to any unclassified civil service position identified in 3.01(2) ("GSEG" position) of this Section (Section B) will be set by the appointing authority at a rate that most adequately reflects both the individual's qualifications and the economic and employment conditions prevailing at the time of appointment subject to the following restraints:

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- (a) For positions identified under s. 20.923(7), Wis. Stats., the rate must be within the range of the appropriate GSEG.
- (b) The pay of an incumbent of a position is not limited to a rate below that paid the governor (salary of the current governor).
- (3) The rate payable upon appointment to an unclassified civil service position identified in 3.01(3) ("Non-ESG" position), excluding the unclassified attorney positions covered by Section C of this Plan, and 3.01(4) of this Section (Section B) will be determined in accordance with the principle of equal pay for work that requires equal skill, effort, and responsibility, and that is performed under similar working conditions. Thus, the rate upon appointment should be equal to the rate that would be payable upon appointment to a similar position in the classified service, as determined by the appointing authority. In addition, the rate will not exceed the pay rate or range maximum under 3.03(3).
- (4) The provisions of Section E regarding Hiring Above the Minimum are applicable in determining pay upon appointment of assistant district attorneys and assistant state public defender attorneys, provided all of the applicable requirements of Section E of this Plan are met.

NOTE: Certain appointments are also subject to s. 230.148, Wis. Stats., regarding re-appointments in the unclassified service, and s. 230.33(3), Wis. Stats., regarding appointments to positions in the unclassified service from positions in the classified service.

3.03 ESG Assignments, Pay Range Assignments and Other Pay Rate Limitations for Positions Not Assigned by Statute

- (1) ESG Limitations for the Deputy and Executive Assistant in the Department of Justice.

In the Department of Justice, the rate for the Deputy under s. 20.923(8), Wis. Stats., and Executive Assistant under s. 20.923(9), Wis. Stats., will not exceed the maximums of ESG 6 and ESG 5, respectively.

- (2) ESG Assignments of Unclassified Division Administrators.

Except for positions specified in s. 20.923(4)(c)3m, Wis. Stats., (Administrator, Division of Merit Recruitment and Selection, OSER); and s. 20.923(12), Wis. Stats., (Division Administrators, Department of Regulation and Licensing); all unclassified division administrator positions enumerated under s. 230.08(2)(e), Wis. Stats., shall be assigned, when approved by JCOER, by the OSER Director to one of the 10 ESG ranges. The following list represents the group assignments as of the printing of this document:

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- (a) Positions assigned to Executive Salary Group 2 (ESG 2)
 - 1. Administration, Department of: Office of Justice Assistance.
 - 2. Commerce, Department of: Division of Administrative Services; Division of Community Development; and Division of International and Export Services.
 - 3. Public Service Commission: Division of Administrative Services.

- (b) Positions assigned to Executive Salary Group 3 (ESG 3).
 - 1. Administration, Department of: Division of Administrative Services; Division of Energy; Division of Gaming; and Division of Intergovernmental Relations.
 - 2. Agriculture, Trade and Consumer Protection, Department of: Division of Agricultural Development; Division of Agricultural Resource Management; Division of Food Safety; Division of Management Services; and Division of Trade and Consumer Protection.
 - 3. Commerce, Department of: Division of Economic Development; and Division of Environmental and Regulatory Services.
 - 4. Educational Communications Board: Division of Education; Division of Engineering; Division of Television Programming/Operations; and Division of Wisconsin Public Radio.
 - 5. State Employment Relations, Office of: Division of Affirmative Action.
 - 6. Financial Institutions, Department of: Division of Banking; Division of Corporate and Consumer Services; and Division of Securities.
 - 7. Historical Society, State: Division of Historic Preservation and Public History; Division of Museum; and Library and Archives Division.
 - 8. Justice, Department of: Division of Law Enforcement Services; and Division of Management Services.
 - 9. Military Affairs, Department of: Division of Emergency Management.

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10. Public Service Commission: Division of Gas and Energy; Division of Telecommunications; and Division of Water, Compliance and Consumer Affairs.
 11. Revenue, Department of: Division of Enterprise Services.
 12. Transportation, Department of: Division of Policy, Budget, and Finance.
 13. Veterans Affairs, Department of: Division of Veterans Benefits; and Division of Veterans Home.
 14. Workforce Development, Department of: Division of Equal Rights; and Division of Workers Compensation.
- (c) Positions assigned to Executive Salary Group 4 (ESG 4).
1. Administration, Department of: Division of Enterprise Operations; and Division of State Facilities.
 2. Agriculture, Trade and Consumer Protection, Department of: Division of Animal Health.
 3. Commerce, Department of: Division of Safety and Buildings.
 4. Corrections, Department of: Division of Management Services.
 5. State Employment Relations, Office of: Division of Compensation and Labor Relations.
 6. Government Accountability Board: Division of Elections; and Division of Ethics and Accountability.
 7. Health Services, Department of: Division of Management and Technology.
 8. Historical Society, State: Division of Historic Sites.
 9. Natural Resources, Department of: Division of Administration and Technology; Division of Customer Assistance and External Relations; and Division of Enforcement and Science.
 10. State Public Defender, Office of: Trial Representation Division.
 11. Public Instruction, Department of: Division for Academic Excellence; Division of Finance and Management; Division of Learning Support: Equity and Advocacy; Division for Libraries,

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Technology and Community Learning; and Division for Reading and Student Achievement.

12. Revenue, Department of: Division of Lottery; Division of Research and Policy; and Division of State and Local Finance.
13. Transportation, Department of: Division of Business Management; Division of Motor Vehicles; and Division of State Patrol.
14. Wisconsin Technical College System Board: Division of Finance; and Division of Teaching and Learning.
15. Workforce Development, Department of: Division of Administrative Services; and Division of Unemployment Insurance.

(d) Positions assigned to Executive Salary Group 5 (ESG 5).

1. Administration, Department of: Division of Enterprise Technology; and Division of Executive Budget and Finance.
2. Corrections, Department of: Division of Adult Institutions; Division of Community Corrections; and Division of Juvenile Corrections.
3. Health Services, Department of: Division of Children and Family Services; and Division of Public Health.
4. Justice, Department of: Division of Legal Services.
5. Natural Resources, Department of: Division of Air and Waste; Division of Forestry; Division of Lands; and Division of Water.
6. Transportation, Department of: Division of Transportation Investment Management; and Division of Transportation System Development.
7. Workforce Development, Department of: Division of Vocational Rehabilitation; and Division of Workforce Solutions.

(e) Positions assigned to Executive Salary Group 6 (ESG 6).

1. Health Services, Department of: Division of Disability and Elder Services; and Division of Health Care Financing.

(3) Pay Range Assignments for Other ("Non-ESG") Unclassified Positions

Certain positions listed below are specifically assigned to an established pay rate, pay range, or ESG. Other positions listed below are limited by a "not to exceed" (NTE) amount. Pay upon appointment and pay adjustments for any

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employee in a position limited by an NTE amount shall also be limited by the rate or pay range maximum which would be applicable if the position were in the classified service as determined by the appointing authority.

NOTE: A "Not To Exceed" rate or maximum established for a position does not guarantee the assignment of the position to a certain pay range. The pay range established for a Non-ESG position should be based on an analysis of the actual duties and responsibilities of the position by the appointing authority and a consideration of the pay range to which the position would be assigned if it were in the classified service.

- (a) Administration, Department of: Federal-State Relations Office, Staff Assistant (NTE PR 81-03); Director of Indian Gaming (NTE PR 81-01); and Office of the State Prosecutor, deputy district attorneys (NTE PR 71-01).
- (b) Board of Commissioners of Public Lands: Executive Secretary (NTE PR 81-02).
- (c) Educational Communications Board: Unclassified employees (NTE PR 81-03) other than employees identified under 3.01(1).
(Exceptions to the NTE PR 81-03 limit for certain positions may be approved by the OSER Director if supported by a comparison of the functions assigned after reorganization to the functions of positions in the classified service above the PR 81-03 level.)
- (d) Health Services, Department of: Office of Urban Development, Director (NTE PR 81-01); Psychiatric Residents (NTE 0.75 of the minimum of PR 10-52).
- (e) Historical Society: Specialists identified under s. 230.08 (2)(c), Wis. Stats., (NTE PR 81-03).
- (f) Lower Wisconsin State Riverway Board, Executive Director (NTE PR 81-03).
- (g) Offices of the Governor and Lieutenant Governor, staff other than the Executive Secretary (NTE ESG 3).
- (h) Office of the State Public Defender, Assistant State Public Defender Supervisors (NTE PR 71-01).
- (i) Tourism, Department of: Kickapoo Reserve Management Board, Executive Director (NTE PR 81-03) and Program Assistant (NTE PR 81-05).

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- (j) Veterans Affairs, Department of: Commandant, Wisconsin Veterans Home at King (NTE ESG 2) and Commandant, Southern Wisconsin Veterans Retirement Center at Union Grove (NTE ESG 2).

3.04 Salary Adjustments for Employees Serving a Fixed Term

Certain incumbents of positions specified in s. 20.923(4) and (8), Wis. Stats., serve fixed terms. Incumbents of fixed-term positions are prohibited by Article IV, Section 26 of the Constitution from receiving pay increases during their term of office other than those granted pursuant to a predetermined schedule of increases authorized at the time of appointment. The pay range minimum and maximum for the ESG range in effect at the time of hire controls the salary potential during the period of the entire fixed-term appointment. (Refer also to incumbent salary limitation under s. 20.923(15)(b), Wis. Stats.)

3.05 Base Pay Adjustments for Fiscal Years ~~2007-2008~~ and ~~2008-2009-2010~~ and 2010-2011 for Employees Not Serving a Fixed Term

For the 2007-2009-2011 biennium, these provisions apply to all indefinite-term employees identified in 3.01 except for deputy district attorneys, assistant state public defender attorney supervisors and the attorney appointed under s. 569.015(2), Wis. Stats., who are excluded from the GWA provisions under 3.05(1). These attorney positions remain covered, however, under all other applicable provisions of 3.00. (Refer to Section C for ~~2007-2009-2011~~ 2010-2011 GWA provisions that apply to these unclassified Non-ESG attorneys.)

General Wage Adjustment (GWA).

- ~~(1) Effective Dates. The GWAs will be effective December 9, 2007, in FY 2007-2008 and July 6, 2008 in FY 2008-2009.~~
- ~~(2) Eligibility. All employees who are in pay status on the effective date are eligible to receive a GWA, except employees paid at or above the pay range maximum (or the new pay range maximum, if a new pay range maximum takes effect on the same date as GWA distribution). Any employee who retired or died between June 24, 2007, and the effective date of the 2007-2008 GWA, shall be eligible for the 2007-2008 GWA and/or any associated lump sum payment.~~
- ~~(3) Amount. All eligible employees will receive a GWA of 2.0% on December 9, 2007 and 1.0% on July 6, 2008.~~
 - ~~(a) An employee's new base pay after application of the GWA must not exceed the applicable pay range maximum (or the new pay range maximum, if a new pay range maximum takes effect on the same date as GWA distribution).~~

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- ~~(b) — ESG employees, except those who have an NTE designation for their title, must be paid at least the new pay range minimum of the appropriate ESG range, if a new pay range minimum takes effect on the same date as GWA distribution.~~
- ~~(c) — Non-ESG employees, except those who have an NTE designation for their title, must be paid at least the applicable new pay range minimum if a new pay range minimum takes effect on the same date as GWA distribution.~~
- ~~(d) — No employee may, during any fiscal year, receive a total cumulative base pay adjustment (GWA) exceeding a total of 10% of the employee's base pay at the beginning of the fiscal year, immediately prior to GWA distribution.~~
- ~~(e) — Except for those positions specifically excluded by s. 20.923(15)(b), Wis. Stats., the pay of an incumbent of a position, whose salary is subject to a limitation under s. 20.923, Wis. Stats., is limited to a rate below that paid to the governor (salary of the current governor).~~

~~3.06 Lump Sum Payments Provided to Compensate for the Delay of the FY 2007-2008 GWA~~

~~The same employees who are excluded from the GWA under 3.05 of this Section (Section B) are also excluded from these lump sum payment provisions.~~

- ~~(1) — Granting Date. Lump sum payments will be granted as soon as administratively feasible after December 9, 2007.~~
- ~~(2) — Eligibility. Any employee, including any employee who retired or died between June 24, 2007 and the effective date of the GWA, who received a FY 2007-2008 GWA under 3.05 of this Section (Section B) is also eligible to receive a lump sum payment if the employee is in pay status during the period June 24, 2007 through December 8, 2007.~~
- ~~(3) — Amount:
 - ~~(a) — The amount of an employee's lump sum payment will be equal to the hourly base pay increase granted to the employee as FY 2007-2008 GWA multiplied by the number of hours in pay status during the period from June 24, 2007 through December 8, 2007.~~
 - ~~(b) — This payment is not the equivalent of a retroactive adjustment. Intervening pay and benefit transactions effective June 24, 2007 through December 8, 2007 will not be reconstructed.~~~~

~~There will be no General Wage Adjustment in either fiscal year.~~

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3.073.06 Pay Increases if Level of Functions Increases

- (1) Effective Dates. Pay increases for increases in level of functions shall be effective on the first day of the pay period following completion of all eligibility requirements.
- (2) Eligibility. Base pay increases may be granted to any indefinite term employee under 3.01 of this Section (Section B), if the OSER Director finds that the level of the duties and responsibilities has increased substantially and one of the following conditions applies:
 - (a) The position occupied is reassigned under s. 20.923, Wis. Stats., to a higher ESG; or
 - (b) The position occupied is not assigned to an ESG under s. 20.923, Wis. Stats., and the OSER Director finds that, if the position were assigned to an ESG under s. 20.923, Wis. Stats., or assigned to a classification in the classified service, reassignment of the position to a higher ESG or higher classification would be justified; or
 - (c) The position occupied is reassigned under s. 20.923, Wis. Stats., to higher GSEG; or
 - (d) The position occupied is reassigned under s. 20.923, Wis. Stats., to GSEG from another pay schedule.
- (3) Amount. Pay increases for increases in level of duties and responsibilities shall be limited to:
 - (a) The amount necessary to make the incumbent's rate equal to the minimum of the new ESG or applicable pay range; or
 - (b) One within-range pay step (WRPS) of the new ESG or applicable pay range if the position is covered in s. 20.923(4) and (7) through (12), Wis. Stats.
 - (c) 8.0% of the minimum of the new applicable pay range if the position is not covered in s. 20.923(4) and (7) through (12), Wis. Stats.

3.083.07 Overtime Compensation and Supplemental Pay

- (1) Definitions.
 - (a) The definitions contained in Section A. 4.01(1) through (4), (10), (12) and (13) of this Plan shall apply to unclassified employees.

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- (b) Supplemental pay. Pay in addition to the base rate for circumstances not reflected in the base rate or pay range. Such circumstances are identified under (4) and (5) below.
- (2) General Policy. The general policy provisions contained in Section A. 4.02(1) through (4) of this Plan shall apply to unclassified employees.
 - (3) Overtime for Unclassified Employees.
 - (a) Nonexempt Employees. Overtime pay for employees who are nonexempt from the overtime provisions of the FLSA shall be in accordance with the provisions of the FLSA and related federal regulations. See Chapter 520 of the Wisconsin Human Resources Handbook for an explanation of these provisions.
 - (b) Exempt Employees and Employees Not Covered by the FLSA.
 - 1. As provided in s. 20.923(16), Wis. Stats., the salary paid to any employee whose position is included under s. 20.923(2), (4), (5), (7), (8), (9), (10) and (12), Wis. Stats., is deemed to compensate that employee for all work hours. No overtime compensation in the form of cash or compensatory time off may be paid to any such employee for hours worked in any workweek in excess of the standard basis of employment as specified in s. 230.35(5)(a), Wis. Stats.
 - 2. The salaries paid to exempt employees and employees not covered by the FLSA are generally intended to compensate for the total responsibilities of the position regardless of the number of hours worked. However, circumstances may exist where time off or cash payment for overtime hours is appropriate for certain employees identified in 3.01(3). Section A, 4.03(2)(b) of this Plan shall be used by agencies as a basis to establish practices for additional compensation for overtime hours. Time off or cash payment authorized in Section A, 4.03(2)(b) for similar positions in the classified service may be granted to exempt employees and employees not covered by the FLSA at the discretion of the appointing authority.
 - 3. Appointing authorities shall have the discretion in approving scheduled use of time off earned in lieu of cash payment for overtime hours. Time off earned in lieu of cash payment for overtime hours which cannot be scheduled by the appointing authority within 12 months after the end of the calendar year in which the time is earned shall be paid in cash at the employee's current regular rate times the unused time off hours earned.

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- (4) Weekend and Night Differential for Unclassified Employees.
- (a) Weekend Differential. Except as provided in (c), below, employees identified in 3.01(3) of this Section (Section B) may be paid up to sixty cents (\$.60) per hour for all weekend hours worked.
 - (b) Night Differential. Except as provided in (c), below, employees identified in 3.01(3) of this Section (Section B) may be paid up to forty-five cents (\$.45) per hour for all night hours worked. To qualify for night differential between the hours of 6:00 p.m. and 12:00 midnight, an employee must be assigned a minimum of two work hours between 6:00 p.m. and 1:00 a.m.
 - (c) Employees identified under s. 20.923(10), Wis. Stats., are not eligible for weekend or night differential.
- (5) Supplemental Pay Provisions for Supervisory Attorneys.

Incumbents of attorney positions under 3.01(3) of this Section (Section B) or unclassified attorney positions covered by Section C of this Plan who supervise one or more permanent attorneys are eligible to receive a responsibility add-on in accordance with the following supplemental pay provisions:

- (a) Appointing authorities shall have the discretion to grant or adjust supplemental pay, subject to the maximum allowable amount specified in (c) below, based on their analysis of their organizational structure, internal and external relationships, size of staff supervised and any other reasonable criteria deemed appropriate. The add-on shall be immediately discontinued when the employee is no longer employed in a position covered by these provisions. Failure to do so will result in a salary overpayment, which must be recovered by the appointing authority.
- (b) Decisions to grant and adjust supplemental pay for deputy district attorneys are subject to the review and approval of the agency (i.e., Department of Administration) responsible for the general program operations relating to Chapter 978, Wis. Stats. The agency may elect to publish decision-making criteria consistent with (1) above, and delegate in writing certain such decisions to some or all appointing authorities of deputy district attorneys.
- (c) An add-on maximum for supervisory responsibility is established for eligible employees covered by these provisions at a rate **not to exceed \$2.75 per hour.**

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4.00 Benefit Provisions

4.01 Health Insurance Premiums

As provided under Chapter 40, Wis. Stats., and this Plan, the provisions for state payment of health insurance premiums are identical to the provisions for nonrepresented permanent classified employees. See Section A, 5.01 of this Plan.

4.02 Retirement Contributions

- (1) As provided under s. 40.05(1)(b), Wis. Stats., and this plan, the state payment for employee retirement contributions shall equal 5.0% of the earnings for creditable service of each participating employee.
- (2) The State shall pay the 1.0% benefit adjustment contribution required by s. 40.05(2m), Wis. Stats., for participating employees whose formula rate is determined under s. 40.23(2m)(e)1 and 3, Wis. Stats.
- (3) Effective January 1, 1996, the State shall pay the additional three tenths of one percent (0.3%) employee share of the benefit adjustment contribution for general occupation participants required by s. 40.05(2n)2, Wis. Stats.

NOTE: This provision also applies to employees not covered by a collective bargaining agreement and whose employer paid retirement contributions are not determined under s. 230.12, Wis. Stats.

5.00 Discretionary Compensation Adjustment (DCA)

Discretionary Compensation Adjustments (DCAs) shall be granted to unclassified employees not serving a fixed term, under 3.05 of this Section (Section B), in accordance with Section J of this Plan.

**SECTION C - COMPENSATION PROVISIONS FOR NONREPRESENTED EMPLOYEES
IN ATTORNEY POSITIONS IN THE CLASSIFIED SERVICE AND
CERTAIN "NON-ESG" ATTORNEY POSITIONS IN THE UNCLASSIFIED
SERVICE**

1.00 Coverage

**2.00 General Wage Adjustment (GWA) and Annualized GWA Payment for the Fiscal
Years ~~2007-2008 and 2008-2009~~ 2010 and 2010-2011**

~~2.01 General Wage Adjustment (GWA)~~

~~2.02 Annualized General Wage Adjustment (GWA) Payment~~

~~2.03 Lump Sum Payments Provided to Compensate for the Delay of the FY 2007-2008
GWA~~

3.00 Pay on Appointment

4.00 Discretionary Compensation Adjustment (DCA)

INTRODUCTION

This Section (Section C) includes provisions for GWA and Annualized GWA for nonrepresented classified attorneys and certain unclassified "Non-ESG" attorneys in state civil service. Nonrepresented classified attorneys are excluded from the provisions of Section A, 2.01 and 2.02 of this Plan for the ~~2007-2009-2011~~ biennium. Unclassified "Non-ESG" attorneys are excluded from the pay on appointment and GWA provisions of Section B, 3.02(2) and 3.05(4) of this Plan for the ~~2007-2009-2011~~ biennium. Those employees, however, will remain covered under all of the remaining applicable pay and benefit provisions of Sections A (classified employees) or B (unclassified employees) of this Plan for the ~~2007-2009-2011~~ biennium.

1.00 Coverage

The provisions of this Section (Section C) apply to the following employees:

- (1) Professional legal-related classified employees.
 - (a) Permanent and project employees in positions allocated to Attorney classifications assigned to pay schedule 71.
 - (b) Project employees in positions allocated to the Attorney classification in the Professional Legal bargaining unit (pay schedule 09).
- (2) Unclassified "Non-ESG" attorneys.

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- (a) Employees appointed on other than an LTE basis to deputy district attorney positions.
- (b) Employees appointed on other than an LTE basis to nonrepresented assistant state public defender attorney positions.
- (c) Employee appointed to the attorney position established under s. 569.015(2), Wis. Stats.

2.00 **General Wage Adjustment (GWA) and Annualized GWA Payment for Fiscal Years 2007-2008 and 2008-2009-2010 and 2010-2011**

2.01 **General Wage Adjustment (GWA)**

- (1) ~~Effective Date. The GWA will be effective December 9, 2007, in FY 2007-2008 and July 6, 2008 in FY 2008-2009.~~
- (2) ~~Eligibility. All employees who are in pay status on the effective date are eligible to receive a GWA except the following:~~
 - (a) ~~Employees whose job performances were rated below satisfactory as a result of formal performance evaluations conducted in the twelve-month period ending June 23, 2007, for FY 2007-2008 and July 5, 2008, for FY 2008-2009.~~
 - (b) ~~Supervisors who have not completed formal performance evaluations on all subordinate employees, for whom performance evaluations are required, within the 12-month period ending June 23, 2007, for FY 2007-2008 and July 5, 2008, for FY 2008-2009. (For purposes of these provisions, the requirements of Chapter ER 45, Wis. Adm. Code, will apply to both classified and unclassified employees.) In FY 2008-2009, if the required performance evaluations are performed by December 31, 2008, a supervisor shall be granted a Delayed Award for the July 6, 2008 GWA if the supervisor had been denied the GWA solely because of the failure to complete evaluations. The GWA will be effective January 4, 2009, with no retroactive pay or lump sum payment for the delay.~~

NOTE: Extenuating circumstances may exist (e.g., leaves of absence) that would allow a supervisor to receive a GWA even though the required performance evaluations were not completed within the mandated timeframes. Contact OSER, Division of Compensation and Labor Relations for further assistance.

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- (c) — Any employee paid at or above the applicable pay range maximum. (An employee who is not eligible to receive a GWA solely because his or her base pay is at or above the pay range maximum may qualify for an Annualized GWA Payment under 2.02 of this Section.)
- (d) — Any employee moving from a position not covered by this Plan to a position covered by this Section (Section C) who was in employment status on the effective date of a GWA, but did not receive the GWA, will be granted:
1. — The GWA(s) or Annualized GWA(s) as provided in this Section (Section C).
 2. — An associated lump sum payment for all the hours in pay status from the effective date(s) of the GWA(s) provided under 1., above, to the effective date(s) of the movement to the covered position.
 3. — Any GWA(s) received under 1., above, will be granted prior to setting the pay upon appointment in the new position.
- (3) — Amount.
- All eligible employees will receive a GWA of 2.0% on December 9, 2007 and 1.0% on July 6, 2008. These increases are subject to the following restrictions:
- (a) — An employee's new base pay after application of the GWA must not exceed the applicable pay range maximum (or the new pay range maximum if a new pay range maximum takes effect on the same date as GWA distribution). (Refer to Annualized GWA Payment provisions under 2.02 of this Section.)
 - (b) — No employee may, during any fiscal year, receive a total cumulative adjustment (GWA) exceeding a total of 10% of the employee's base pay at the beginning of the fiscal year, immediately prior to GWA distribution.
- (4) — Grievances. If an employee is dissatisfied with the evaluation methodology and results used by an agency to determine any GWA, the employee may file a grievance under s. 230.12(5)(e), Wis. Stats. The decision of the appointing authority is final and may not be appealed to the Employment Relations Commission under ss. 230.44 or 230.45(1)(e), Wis. Stats. Agencies will submit a copy of each grievance filed and the written decision of the appointing authority to the OSER Director within 14 days of the decision.

2.02 Annualized General Wage Adjustment (GWA) Payment

- (1) ~~Granting Date.~~ The Annualized GWA Payment will be granted as soon as administratively feasible after the effective date of any GWA granted under 2.01 of this Section (Section C).
- (2) ~~Eligibility.~~ Any employee may qualify for an Annualized GWA Payment if either of the conditions described under (a) or (b), below, apply:
 - (a) ~~The employee was not eligible to receive a GWA solely because his or her base pay was at or above the pay range maximum.~~
 - (b) ~~The employee did not receive the full GWA because of the pay range maximum limitation.~~
- (3) ~~Amount.~~ The amount of any Annualized GWA Payment granted to an employee is subject to the restrictions under (a) and (b) below:
 - (a) ~~For employees who qualify for an Annualized GWA Payment because of the condition described in (2)(a) above: The hourly amount used in calculating an employee's Annualized GWA Payment will equal the full GWA amount (i.e., 2.0% on December 9, 2007 and 1.0% on July 6, 2008).~~
 - (b) ~~For employees who qualify for an Annualized Payment because of the circumstances described under (2)(b) above: The hourly amount used in calculating an employee's Annualized GWA Payment will equal the difference between the full GWA amount (i.e., 2.0% on December 9, 2007 and 1.0% on July 6, 2008) and the partial GWA actually received by the employee.~~
- (4) ~~Calculating Annualized GWA Payments.~~ Annualized GWA Payments will be calculated by multiplying the hourly amount determined to be appropriate for the employee in accordance with (3)(a) or (b) above, by 2088 for December 9, 2007 and July 6, 2008. Annualized GWA Payments provided to permanent part time or seasonal employees will be prorated on the basis of the budgeted percentage of Full Time Equivalency (FTE) on the GWA distribution date.
- (5) ~~Annualized GWA Payments for employees on approved unpaid leaves of absence.~~ Any employee who is on an approved unpaid leave of absence as of the effective date of the GWA distribution and who qualifies for an Annualized GWA Payment will receive the payment, subject to the following restrictions:

- (a) ~~The employee must return from the leave of absence to pay status by July 4, 2009, and the employee's restoration right must be derived from a position covered by the GWA Payment provisions of this Section (Section C) or Section A of this Plan.~~
- (b) ~~The employee will not receive a GWA Payment until he or she has returned to pay status.~~
- (c) ~~The hourly GWA amount used in the calculation of an employee's Annualized GWA payment will equal the amount determined to be appropriate under (3) above.~~

2.03 Lump Sum Payments Provided to Compensate for the Delay of the FY 2007-2008 GWA

The same employees who are excluded from the GWA and Annualized GWA under 2.01 and 2.02 of this Section (Section C) are also from these lump sum payment provisions.

- (1) ~~Granting Date. Lump sum payments will be granted as soon as administratively feasible after December 9, 2007.~~
- (2) ~~Eligibility. Any employee who received a FY 2007-2008 GWA under 2.01 of this Section (Section C) is also eligible to receive a lump sum payment if the employee is in pay status during the period June 24, 2007 through December 8, 2007.~~
- (3) ~~Amount.~~
 - (a) ~~The amount of an employee's lump sum payment will be equal to the hourly base pay increase granted to the employee as FY 2007-2008 GWA multiplied by the number of hours in pay status during the period from June 24, 2007 through December 8, 2007.~~
 - (b) ~~This payment is not the equivalent of a retroactive adjustment. Intervening pay and benefit transactions effective June 24, 2007 through December 2007 will not be reconstructed.~~
- (4) ~~Lump Sum Payments for Employees on Approved Leave of Absence. Any employee who is on an approved unpaid leave of absence as of December 9, 2007, and who is granted a FY 2007-2008 GWA upon restoration, will also receive a lump sum payment if the employee had any hours in pay status during the period June 24, 2007 through December 8, 2007, subject to the following:~~

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~~(a) The employee must return from the leave to pay status by July 4, 2009, and the employee's restoration right must be derived from a position covered by provisions of this Section (Section A).~~

~~(b) The employee will not receive a lump sum payment until returning to pay status.~~

There will be no GWA or Annualized GWA in either fiscal year.

3.00 Pay on Appointment

Pay on Appointment shall be determined in accordance with Section I, 4.04 of this Plan.

NOTE: Pay Schedule 7I will be used for pay transactions involving unclassified attorney positions covered by this Section (Section C).

4.00 Discretionary Compensation Adjustment (DCA)

Discretionary Compensation Adjustments (DCAs) shall be granted in accordance with Section J of this Plan.