

SECTION C - COMPENSATION PROVISIONS FOR EMPLOYEES IN ATTORNEY POSITIONS IN THE CLASSIFIED SERVICE AND CERTAIN “NON-ESG” ATTORNEY POSITIONS IN THE UNCLASSIFIED SERVICE

1.00 Coverage

2.00 Nonrepresented General Wage Adjustment (GWA) and Annualized Nonrepresented GWA Payment for the Fiscal Years 2011-2012 and 2012-2013

3.00 Pay on Appointment

4.00 Discretionary Merit Compensation (DMC)

5.00 Bar Association Meetings and Activities

6.00 Continuing Legal Education Requirements

7.00 Sunday Domestic Violence Staffing in Milwaukee County

8.00 Sunday Intake Court Duty

9.00 Election of Benefits

10.00 Protections for Assistant State Public Defender Attorneys

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 2011-2013 biennium. Unclassified “Non-ESG” attorneys included in this Section (Section C) are excluded from the pay on appointment and GWA provisions of Section B, 3.02(2) and 3.05(1) of this Plan for the 2011-2013 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 2011-2013 biennium. General Wage Adjustments will only apply to employees who are not covered by a certified collective bargaining unit.

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) Permanent and project employees in positions allocated to the Attorney classification in pay schedule 09.
- (2) Unclassified “Non-ESG” attorneys.
 - (a) Employees appointed on other than an LTE basis to Deputy District Attorney, Deputy District Attorney – Supervisor, and Assistant District Attorney positions.
 - (b) Employees appointed on other than an LTE basis to Assistant State Public Defender Attorney, Assistant State Public Defender Attorney-Confidential, Assistant State Public Defender Attorney-Confidential/Supervisor, Assistant State Public Defender Attorney-Management and Assistant State Public Defender Attorney - Supervisor positions.
 - (c) Employee appointed to the attorney position established under s. 569.015(2), Wis. Stats.

2.00 Nonrepresented General Wage Adjustment (GWA) and Annualized Nonrepresented GWA Payment for Fiscal Years 2011-2012 and 2012-2013

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

3.00 Pay on Appointment

Pay on Appointment, except for Assistant District Attorney positions, shall be determined in accordance with Section I, 4.04 of this Plan.

Assistant District Attorney positions will be appointed at the minimum of the pay range, except:

- (1) A current state employee will be hired at the greater of the employee’s current base pay rate or the minimum of the pay range;

Section C – 3.00

- (2) An Assistant District Attorney who separates from employment and returns within 5 years will receive a base pay rate calculated as if the employee were reinstated to a position in classified service under s. ER 29.03(6), Wis. Stats.; or
- (3) When appointed using Hiring Above the Minimum.
- (4) An Assistant District Attorney granted a leave of absence to act as a Special Prosecutor or as a Governor appointee to a District Attorney position upon return will be paid as if restoring to classified service under s. ER 29.03(7), Wis. Admin. Code.

NOTE: Pay Schedule 71 will be used for pay transactions involving unclassified attorney positions, except Assistant District Attorney and Assistant State Public Defender Attorney positions, covered by this Section (Section C).

4.00 Discretionary Merit Compensation (DMC)

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

5.00 Bar Association Meetings and Activities

Employees may be granted up to five (5) days off during the calendar year without loss of pay to attend the State Bar of Wisconsin meetings or to participate in other local, State of Wisconsin, court, or national bar association activities.

6.00 Continuing Legal Education Requirements

The Employer may pay for or provide the continuing legal education credits necessary to maintain a law license in the state of Wisconsin. The Employer may grant leave with pay each calendar year to employees for the sole purpose of meeting those continuing legal education requirements. At the discretion of the Employer, such attendance may include reimbursement of travel, lodging, and related expenses.

7.00 Sunday Domestic Violence Staffing in Milwaukee County

Assistant District Attorneys specifically assigned by the Milwaukee County District Attorney to staff the office on Sundays in order to prepare, review and process weekend and backlogged domestic violence complaints may be paid at straight time for hours assigned and worked, up to a total of ten (10) hours for the day for the assigned assistant district attorneys. .

8.00 Sunday Intake Court Duty

Compensation for Sunday court duty may be made, if the following conditions are met. The county, chief judge or higher judicial authority must have established a regular, continuing Sunday intake court; and the Attorney must be specifically assigned to process and/or represent the State or persons on the charges brought to the court on that Sunday. The Attorney may be compensated at straight time for hours assigned and worked, up to eight (8) hours for the day. An Assistant District Attorney will not be paid under both this provision and 7.00 above, for the same hours worked.

9.00 Election of Benefits

The following State benefits do not apply to Assistant District Attorneys who have elected county benefits pursuant to s. 978.12(5) and/or (6), Wis. Stats.:

Health Insurance

Life Insurance

Income Continuation Insurance

Employee Reimbursement Account

Accumulated Sick Leave Conversion Credits

Supplemental Health Insurance Credits

Wisconsin Retirement System

10.00 Protections for Assistant State Public Defender Attorneys

Assistant State Public Defender Attorneys shall be provided the same protections as those provided to Assistant District Attorneys under s. 230.34, Wis. Stats.