

WisACT 46

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1983 Senate Bill 453

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## 1983 Wisconsin Act 46

AN ACT to renumber and amend 40.05 (4) (a) 1 and 2; to amend 20.923 (4) (intro.), 40.05 (4) (a) (intro.) and 111.93 (3); and to create 40.05 (4) (ar) of the statutes, relating to state employe health insurance premium payments and salary assignments of new unclassified division administrator positions.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 20.923 (4) (intro.) of the statutes, as affected by 1983 Wisconsin Act 27, is amended to read:

20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the administrator of the division of merit recruitment and selection in the department of employment relations, commission chairpersons and members and higher education administrative positions shall be identified and limited in number in accordance with the standardized nomenclature contained in this subsection, and shall be assigned to the executive salary groups listed in pars. (a) to (j). Except as provided in par. (c) 3m and sub. (12), all unclassified division administrator positions enumerated under s. 230.08 (2) (e) shall be assigned, when approved by the joint committee on employment relations, by the secretary of employment relations to one of the 10 executive salary groups listed in pars. (a) to (j). The joint committee on employment relations, by majority vote of the full committee, may amend recommendations for initial position assignments and changes in assignments to the executive salary groups submitted by the secretary of employment relations. All division administrator assignments and amendments to assignments of administrator positions approved by the committee shall become part of the compensation plan. Whenever any individual is serving in a classified division administrator position and that position becomes a position in the unclassified service enumerated under s. 230.08 (2) (e), and that individual is at that time reappointed to the same position in the unclassified service, the appointing authority may continue payment of the previous level of salary to that individual for a period of not more than 6 months or until the joint committee on employment relations approves an assignment of the unclassified division administrator position to one of the 10 executive salary groups, whichever occurs first a new unclassified division administrator position is created, the appointing authority may set the salary for the position until the joint committee on employment relations approves assignment of the position to an executive salary group. If the committee approves assignment of the position to an executive salary group having a salary range minimum or maximum inconsistent with the salary paid to the incumbent at the time of such approval, the incumbent's salary shall be adjusted by the appointing authority to conform with the committee's action, effective on the date of that action. Positions are assigned as follows:

SECTION 2. 40.05 (4) (a) (intro.) of the statutes is amended to read:

40.05 (4) (a) (intro.) For health insurance each insured employe and insured retired employe shall contribute the balance of the required premium amounts after applying required employer contributions, if any. Employers shall pay contributions as required by this paragraph for each insured employe who is currently employed and has not been on a leave of absence for more than 3 months effective on the first day of the 7th month commencing after the date the insured employe commences employment with the state. Employers shall pay contributions as required by this paragraph for an insured employe

who is an eligible employe under s. 40.02 (25) (a) 2 effective on the date the employe becomes an eligible employe.

(ag) Except as otherwise provided in accordance with a collective bargaining agreement under subch. V of ch. 111 or s. 230.12, the employer shall pay for its currently employed insured employes who are currently employed covered by a collective bargaining agreement under subch. V. of ch. 111 or whose health insurance premium contribution rates are determined under s. 230.12:

SECTION 3. 40.05 (4) (a) 1 and 2 of the statutes, as affected by 1983 Wisconsin Act 27, are renumbered 40.05 (4) (ag) 1 and 2 and amended to read:

40.05 (4) (ag) 1. For insured part-time employes, including those in project positions as defined in s. 230.27 (1), who are appointed to work less than 1,044 hours per year, an amount equal to 50% of the employer contribution under subd. 2.

2. For eligible employes not specified in subd. 1, 90% of the gross premium for the standard health insurance plan offered to state employes by the group insurance board or 105% of the gross premium of the alternative qualifying plan offered under s. 40.03 (6) that is the least costly qualifying plan ~~offered to state employes in the employe's employment or residence area~~ within the county in which the alternate plan is located, whichever is lower, but not more than the total amount of the premium. Employer contributions for employes who select the standard plan shall be based on their county of residence. Qualifying health insurance plans ~~and the designation of employment areas~~ shall be determined in accordance with standards established by the group insurance board.

SECTION 4. 40.05 (4) (ar) of the statutes is created to read:

40.05 (4) (ar) The employer shall pay under par. (a) for employes who are not covered by a collective bargaining agreement under subch. V of ch. 111 and for employes whose health insurance premium contribution rates are not determined under s. 230.12 an amount equal to the amount specified in par. (ag) unless a different amount is recommended by the secretary of employment relations and approved by the joint committee on employment relations in the manner provided for approval of changes in the compensation plan under s. 230.12 (3).

SECTION 5. 111.93 (3) of the statutes is amended to read:

111.93 (3) Except as provided in ~~s. ss. 40.05 and~~ 40.80 (3), if a labor agreement exists between the state and a union representing a certified or recognized bargaining unit, the provisions of such agreement shall supersede such provisions of civil service and other applicable statutes related to wages, hours and conditions of employment whether or not the matters contained in such statutes are set forth in such labor agreement.

SECTION 6. **Nonstatutory provisions; health insurance premium contributions.** Notwithstanding section 40.05 (4) of the statutes, as affected by this act, if the secretary of employment relations recommends and the joint committee on employment relations approves a change in the amount of the state payment of the health insurance premium contribution for state employes whose fringe benefits are determined under section 230.12 of the statutes after September 1, 1983, and before the effective date of this act, the state payment of the health insurance premium contribution for state employes whose fringe benefits are not determined under section 230.12 of the statutes or under a collective bargaining agreement shall be changed to the same level approved by the committee for state employes whose fringe benefits are determined under section 230.12 of the statutes, commencing with the date that the committee's action is effective. This SECTION does not preclude any further action under section 40.05 (4) of the statutes, as affected by this act, to change the amount of the state payment of the health insurance premium contribution for any state employe whose fringe benefits are not determined under a collective bargaining agreement.

**SECTION 7. Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	Old Cross-References	New Cross-References
40.05 (4)(c)	par. (a) 2	par. (ag) 2

**SECTION 8. Initial applicability.** The treatment of sections 40.05 (4) (a) and 111.93 (3) of the statutes and the creation of section 40.05 (4) (ar) of the statutes by this act first apply to the health insurance premium policy year beginning on January 1, 1984.

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