

1995-96 SESSION  
COMMITTEE HEARING  
RECORDS

Committee Name:

JOINT COMMITTEE  
ON EMPLOYMENT  
RELATIONS (JC-ER)

Sample:

Record of Comm. Proceedings ... RCP

- 05hrAC-EdR\_RCP\_pt01a
- 05hrAC-EdR\_RCP\_pt01b
- 05hrAC-EdR\_RCP\_pt02

➤ Appointments ... Appt

➤ \*\*

➤ Clearinghouse Rules ... Crule

➤ \*\*

➤ Committee Hearings ... CH

➤ \*\*

➤ Committee Reports ... CR

➤ \*\*

➤ Executive Sessions ... ES

➤ \*\*

➤ Hearing Records ... HR

➤ \*\*

➤ Miscellaneous ... Misc

➤ 95hrJC-ER\_Misc\_pt31

➤ Record of Comm. Proceedings ... RCP

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## SUMMARY OF PROCEEDINGS

### JOINT COMMITTEE ON EMPLOYMENT RELATIONS\*

Room 417 North, State Capitol  
Madison, Wisconsin

Thursday, June 27, 1995  
8:30 - 9:32 a.m.

[The following is a summary of the June 27, 1995 meeting of the Joint Committee on Employment Relations. The file copy of this Summary has appended to it a copy of each document prepared for or submitted to the Committee during the meeting. A tape recording of the meeting is retained for two years by the Legislative Council Staff in its office at Suite 401, One East Main Street, Madison, Wisconsin.]

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COMMITTEE MEMBERS  
PRESENT:

President Brian D. Rude and Speaker David Prosser, Jr., Co-chairpersons; Senators Michael G. Ellis and Joseph Leean; and Representatives Scott Jensen, Ben Brancel and Walter Kunicki.

COMMITTEE MEMBER  
EXCUSED:

Senator Robert Jauch.

COMMITTEE STAFF PRESENT:

Jane R. Henkel, Deputy Director, and Pat Coakley, Support Staff, Legislative Council Staff; Terry Rhodes, Assistant Director, and Tony Mason, Fiscal Analyst, Legislative Fiscal Bureau.

APPEARANCES:

Secretary Jon E. Litscher, Department of Employment Relations (DER); Katharine Lyall, President, University of Wisconsin System; Jim Byrd, The Association of University of Wisconsin Professionals; and Sally Drew, the Association of Career Employees; Fritz Miller, Deputy State Public Defender.

OTHERS PRESENT:

Ken Machtan, Assistant to President Rude; Delora Newton, Assistant to Speaker Prosser; Mari Wall, Assistant to Senator Leean; Mike Carter, Assistant to Senator Ellis; Barb Nelson, Assistant to Representative Kunicki; Charles Sanders, Assembly Chief Clerk; Ray Allen, Glen Blahnik, Dana Denny, Becky Fawcett, Teel Haas, Troy Hamblin, Eileen Kellor, Kathy Kopp, Jim Pankratz, Joseph Pelletteri, Mike Soehner, Bob Van Hoesen, John Vincent and Leann White.

**\*ATTENTION: THE NEXT MEETING OF THE JOINT COMMITTEE ON EMPLOYMENT RELATIONS WILL BE HELD AT THE CALL OF THE COCHAIRPERSONS.**

DER; Harold Froehlich, President, Wisconsin Trial Judges Association, Appleton; Ruth Robarts, 1199W/United Professionals for Quality Health Care/SEIU, Madison; Steven Werner, Wisconsin Professional Police Association, Madison; Jeff Wiswell, Wisconsin Trial Judges Association, Madison; Members of the Press; and Others.

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CALL TO ORDER AND ROLL CALL  
[AGENDA ITEM 1]

Cochairperson Rude called the meeting to order; the roll was called and a quorum was noted present.

APPROVAL OF THE SUMMARY OF PROCEEDINGS OF THE  
JANUARY 4, 1995 MEETING OF THE JOINT COMMITTEE  
[AGENDA ITEM 2]

*Senator Ellis moved, seconded by Speaker Prosser, that the summary of the January 4, 1995 meeting of the Joint Committee be approved. The motion carried on a unanimous voice vote.*

PUBLIC HEARING AND POSSIBLE EXECUTIVE ACTION ON RECOMMENDATIONS  
OF THE SECRETARY OF EMPLOYMENT RELATIONS ON:

- a. The 1995-97 Compensation Plan for classified and certain unclassified employes, including executive salary group employes and elected officials.
- b. Travel schedule amounts, legislative expenses and temporary lodging and moving expenses.

[AGENDA ITEM 3]

PUBLIC HEARING AND POSSIBLE EXECUTIVE ACTION ON RECOMMENDATIONS  
OF THE SECRETARY OF EMPLOYMENT RELATIONS ON THE 1995-97  
COMPENSATION AND BENEFIT ADJUSTMENTS FOR FACULTY AND ACADEMIC  
STAFF OF THE UNIVERSITY OF WISCONSIN SYSTEM  
[AGENDA ITEM 4]

PUBLIC HEARING AND POSSIBLE EXECUTIVE ACTION ON RECOMMENDATIONS  
OF THE SECRETARY OF EMPLOYMENT RELATIONS TO ASSIGN DIVISION  
ADMINISTRATOR POSITIONS TO EXECUTIVE SALARY GROUPS  
[AGENDA ITEM 5]

Secretary Jon E. Litscher, Department of Employment Relations (DER), gave a brief overview of his recommendations for the 1995-97 Compensation Plan for classified and certain unclassified employes. He said that the recommendations provide general discretionary increases of 1.0% in 1995-96 and 2.0% in 1996-97. Also, because of the level of the compensation reserve, the elimination of the length-of-service payment is recommended. He said that the pay ranges for nonrepresented employes will be frozen for both years of the biennium.

Secretary Litscher said that employes in a progression grid will move to the next step on January 7, 1996 and July 7, 1996. Employes who are at or above the grid end point (or employes in seniority-based grids whose pay rate is equal to or greater than the grid rate for their seniority level) will receive the lesser of 1.0% (in 1995-96) and 2.0% (in 1996-97) or a

grid step as a lump sum, nonbase-building payment. Agencies may generate an unfunded 0.5% for merit (performance recognition awards) effective January 7, 1996 and September 29, 1996.

For senior managers, attorneys, physicians, psychologists and dentists, the Secretary recommended a 1.0% increase on July 9, 1995 with an unfunded 0.5% available on July 7, 1996, at the agency's discretion, for merit. In year two, the Secretary recommended a 2.0% increase on July 7, 1996 with an unfunded 0.5% for merit on September 29, 1996. If those employees exceed the maximum of their ranges, they will receive a lump sum payment.

Secretary Litscher said that executive salary group (ESG) employees will receive a 1.0% discretionary increase on July 9, 1995, and a 2.0% discretionary increase on July 7, 1996 with the unfunded 0.5% component for merit in both years, effective January 7, 1996 and September 29, 1996. These increases are subject to the range maximums.

Secretary Litscher said there were no recommendations for salary increases for Legislators. In response to a question from Senator Ellis, Secretary Litscher indicated that, given the current budget climate, the DER decided not to recommend a salary increase for Legislators. Given the total amount available in the compensation reserve for distribution to all state employees, the DER felt that an increase in legislative pay was not warranted.

Secretary Litscher noted that he was also making a recommendation on legislative per diems. He said it is the DER's view that he has the discretion to create the administrative mechanism that he is recommending, whereby the Speaker of the Assembly and the President of the Senate may independently set the per diem rate for their respective Houses, up to a rate not exceeding \$75 per day. He noted that \$75 is the current per diem rate. The Speaker of the Assembly and the President of the Senate would be required to give 30-days advance notice before making any changes in the per diem rate. The DER felt that because of the needs of the Assembly and Senate to deal with their own budgets, this administrative discretion was warranted. He again stressed that the DER feels that the Secretary may delegate this administrative responsibility; the authority still rests with the Secretary. If, in the DER's opinion, the discretion granted under this provision is not handled properly, the Secretary may rescind the delegation by making a recommendation to the Joint Committee.

Secretary Litscher said that, for district attorneys, he was recommending a 1.0% increase on July 9, 1995 and a 2.0% increase on July 7, 1996. For Supreme Court justices, Appeals Court judges and circuit court judges, he was recommending a 3.0% increase effective July 9, 1995. He said that justices and judges have historically been given the whole amount of the Compensation Plan increase in the first year of each biennium to provide maximum benefit from the amount provided in the Compensation Plan. He said that, as a result of requests from, and ongoing dialogue with, circuit court judges and the Wisconsin Trial Court Judges Association, during the past two years the DER has analyzed the circuit court judges' salaries in comparison to like positions throughout the state and in comparable other states. The DER felt, based on this evaluation, that the circuit court judges warranted a market adjustment of 2.0% in the second year (effective July 7, 1996) which would be in addition to the 3.0% provided for all the judges.

Secretary Litscher said that for University of Wisconsin (UW) System faculty and academic staff, he was recommending a 1.0% increase on July 9, 1995, to be awarded in accordance with the policies and procedures of the Board of Regents of the UW System, and a 2.0% increase on July 7, 1996. The pay ranges for academic staff would be adjusted accordingly to take into effect those increases. There would not be an unfunded merit component for these employees. He said that the unfunded merit component was not requested and noted that the UW System has some discretion to use Quality Reinvestment Funds.

Secretary Litscher said that the lodging reimbursement rate would be increased by \$3, from \$49 to \$52, effective July 1, 1996. There would be no increases in meal allowances, however.

Secretary Litscher said that, currently, employees whose pay is within pay-based grids are not eligible for merit increases (performance recognition awards). This year, those employees will be eligible for merit increases if it is deemed appropriate by the respective agencies. This is an unfunded increase so the agency would have to generate these funds.

Secretary Litscher said there would be no change in the 90%/105% employer contribution to health insurance premiums. Also, there would be no changes in the pay rates for constitutional officers because, by freezing the ESG pay ranges, the pay rates for constitutional officers, other than the Attorney General, are also frozen. The rate for the Attorney General is tied to the rate for the Supreme Court associate judges.

Secretary Litscher said that he was recommending five statutory changes. First, he was recommending legislation authorizing the Secretary of Employment Relations to establish a catastrophic leave program for nonrepresented employees similar to the program established for employees represented by the Wisconsin State Employees Union (WSEU). He said that the WSEU and the DER, with help from other agencies, developed the program during the last contract period and it had been positive for employees who had a catastrophic need for leave. The program is handled through a committee of union representatives. While the need is low in numbers, when the need is there, it is very much appreciated by the employee. It has been a very positive program for the WSEU and one which the DER fully supports.

Secretary Litscher said that the second change is legislation to authorize the Secretary to develop and bring back to the Joint Committee a recommendation on a per diem method of reimbursement for meals and lodging for employees in travel status. Currently, the meal allowance is approximately \$6.40 for breakfast, \$7.20 for lunch and \$15.00 for the evening meal. The per diem amount would not exceed the total dollar amounts for expenses. However, the per diem would make for easier administrative recordkeeping.

Secretary Litscher said he was also recommending legislation to allow the Secretary of Employment Relations to determine whether provisions relating to administration of the Compensation Plan or salary transactions shall be contained in the Compensation Plan or in administrative rules promulgated by DER. He said this would give the Secretary flexibility to put additional provisions in the Compensation Plan, which is reviewed by the Joint Committee.

He stressed that the Joint Committee is aware of provisions of the Compensation Plan; the Legislature is aware of them; public hearings allow testimony on the Compensation Plan; and the Compensation Plan is becoming the document that employees, employe representatives and agencies look at for direction.

Secretary Litscher said that the DER had evaluated the Attorney General's pay. Currently, the Attorney General is the only four-year constitutional officer whose pay is tied to the pay of a Supreme Court justice. The DER believes that, based upon the duties of that office and its relationship to other ESG officers, it should be tied to ESG 10 and set to 18% above the minimum of the range. Therefore, he was recommending a change in how the Attorney General's salary is established.

Finally, Secretary Litscher summarized his recommendations for the assignment of division administrator positions to ESG's. He said that he was recommending the assignment of a new position, the Administrator of the Division of Technology Services in the Department of Administration, to ESG 5. Also, he recommended the reassignment of the Administrator of the Division of Administrative Services in the Department of Industry, Labor and Human Relations from ESG 3 to ESG 4. He said that the DER had evaluated the position and it scored a 4.1; the DER felt the position is a strong 4 and should be reassigned because of its additional responsibilities.

Senator Leean asked what circuit court judges are currently making. Secretary Litscher said they are making \$86,289 per year. The DER was recommending that, in the first year, the salary be increased to \$88,880 and, in the second year, to \$90,661.

Senator Leean noted that the Secretary was recommending a \$4,400 pay increase over the biennium for circuit court judges while recommending that the pay for Legislators, who are at \$38,056, be frozen. He noted that this is because Secretary Litscher thinks that judges are not comparably paid with judges in other states. Secretary Litscher said that the DER looked at the pay for the Supreme Court justices, the Appeals Court judges and the circuit court judges. He said that the recommended amounts keep them in comparative equity with their fellow judges in other states and other positions in this state. The DER believes that, due to past percentage increases, the circuit court judges have moved away from equity in comparison to similar judges in other states, other than in the state of Indiana. Senator Leean said that as legislative leadership, members of the Joint Committee will have to have an explanation for their members as to why they work at \$38,000, frozen, and why they are granting the judges a \$4,400 increase.

Representative Jensen said that Secretary Litscher's whole proposal is predicated on the assumption that, in the first year of the biennium, there would be, essentially, 1.0% increases and, in the second year, 2.0% increases. He said it was his understanding that the biennial budget that is likely to pass the Legislature may not provide sufficient compensation reserves for a 2.0% adjustment in the second year. He asked if Secretary Litscher had made any changes in his recommendations as a result of that or if he had any recommendations.

Secretary Litscher said that there have been two reductions in the compensation reserves since the Governor made his original budget proposal. Approximately \$4.2 million was eliminated by the Joint Committee on Finance and, as a result, the DER eliminated the length-of-service payment. Then there was another \$2 million reduction made in the Assembly. The DER has evaluated those changes and believes the Compensation Plan proposals are still sound. If additional reductions are made by the Senate or any conference committee, then the DER might have to reanalyze the matter and bring back for the Joint Committee's consideration a recommendation for changes in the second year.

Katharine Lyall, President, University of Wisconsin (UW) System, said that, as required by the statutes this year, the Board of Regents provided the Secretary of Employment Relations information on the salary increases and markets for faculty and academic staff at other universities, and a recommendation that an increase of at least 3.0% in each year of the biennium would be necessary to maintain its current position in the market. She said that she would simply note that the UW System has been through a long, slow, steady climb to achieve average salaries for faculty and staff that are within about 1.0% of market. That has taken about a decade. She said that some of the Joint Committee members would recall the very difficult struggle on catch-up pay. She said that, whereas a decade ago, some institutions removed the UW System from their peer salary surveys because UW System faculty salaries were so far below the market, today the UW System can at least claim to have fair, not generous but fair, salaries.

President Lyall said that she wished it were possible to express gratitude for a proposed salary package that would maintain the UW System's market position, but she thought it was essential that the Joint Committee know where the UW System would seem to be headed under this proposal. She said that, by every indicator, this pay plan is less than the anticipated rate of inflation and less than half of what faculty and staff should receive to prevent slipping below median market levels. She said that results of a telephone survey of peer institutions suggest that most increases at the UW System's peer universities in 1995-96 will be somewhere between 3% and 6%. She said she had that data if the Joint Committee was interested. She said that a biennium of this kind of lag will leave the UW System needing close to double digit increases to catch up in the future.

President Lyall said that she appreciates the fiscal and political difficulties faced by the Joint Committee in setting salary plans for state employees and would ask only that the Joint Committee consider and keep in mind two very important facts. The first is that the UW System will be downsizing its faculty and staff by hundreds of positions to meet the largest budget cut it has experienced since merger. If it is to sustain quality education, it must compensate its remaining faculty and staff at competitive levels. Second, she asked the Joint Committee to please remember what we have learned so painfully together over the past decade. That is that state policy that continuously maintains fair and competitive salaries is far less costly in the long run than a major salary restoration in the years ahead.

Finally, President Lyall said that she would like to make a brief comment on the budget proposal to freeze the salaries of UW System executives. She said that the UW System is

going through extensive reorganization to make sure that, despite a fiscal crisis of current proportions, it fulfills its missions. The UW System expects its chief executive officers to make perhaps the most difficult decisions for their institutions since merger. Market data show that salaries of UW System executives, particularly those at UW-Madison and UW-Milwaukee campuses, are not even close to their peers' salaries. The salary of the UW-Madison chancellor is dead last among the Big 10, more than \$30,000 below the next lowest in the peer group. A public two-year freeze in these salaries exposes the UW System to easy raiding and prolonged vacancies and searches to replace senior university leaders at a time when the UW System most needs steady and consistent leadership. She said that all she asks is that the Legislature take some time to consider the consequences of this kind of salary policy for the UW System universities and the state. University leaders are asked to cut budgets and programs, raise large amounts in gifts to sustain operations that once were supported by the state and to meet growing state needs and expectations while keeping alive the hope of quality educational opportunity for our students. She said that she would submit no less than that the UW System faculty and executive leaders deserve our respect and our gratitude and a competitive wage.

Representative Brancel asked President Lyall to comment on the UW-Extension's part of the pay plan because, as he understands it, the UW-Extension has local, state and federal funding, and every time the state makes compensation adjustments and the federal government does not, the UW-Extension must cannibalize staff in order to fund both sides of their pay checks or otherwise handle it. Four years ago, there was a statutory language change made to deal with this issue but he was not sure that the problem had been resolved.

President Lyall thanked Representative Brancel for raising that question because it is a problem. She said that because UW-Extension staff are split funded--partly on federal funds and partly on state funds--it is sometimes the case, not always but sometimes the case, that their salary increases will not be fully funded for the federally-funded portion of their positions. She said that, several years ago, the Legislature enacted a statute which requires the state to make up the difference when that happens. This year that gap has occurred but the appropriation for the statute enacted several years ago was not funded. She said this creates a real dilemma. The choices are to not provide that portion of the increase for UW-Extension staff, to reduce their percentage of appointment to the percentage that is available from state funding only, or to take program funds from other areas to make whole the salary commitment for those individuals. She said that this year the gap is approximately \$250,000; she did not have the exact figure with her. She said that it is the feeling of the UW System that the Legislature dealt with this problem several years ago by creating a mechanism to meet this contingency and ought, in some way, to fund that commitment in this biennium.

Representative Brancel asked if President Lyall has had conversations with either Secretary Litscher or Department of Administration (DOA) Secretary James Klauser on how to address this issue. President Lyall said she had some discussions with Secretary Klauser; she had not talked directly to Secretary Litscher. She said that it has been Secretary Klauser's position that because no funds were provided in the appropriation, the DOA's hands are tied

and there is nothing the DOA can do to provide additional funding. She said she hoped a way could be found to deal with this as a compensation issue if that is the case.

Jim Byrd, The Association of University of Wisconsin Professionals (TAUWP), said that he echoed the sentiments of President Lyall. He said that it has been a very long, hard struggle to get close to parity with peer institutions and be competitive. He said that it is extremely frustrating to sort of be successful and, then, be told to stop and let other people get back ahead again. He said that this pay plan leaves no alternative than to continue to talk about catch-up pay, which is very unpalatable to everybody involved.

Mr. Byrd said that some things TAUWP would like the Joint Committee to consider, such as salary compression, keep cropping up, sometimes in isolated cases, sometimes systematically. He asked the Joint Committee to ask the UW System to submit salary schedules or grids for faculty much like what is in place for other state employees. He said that TAUWP would also like a means to revisit the salary issue when the raises granted to UW System's competitors are fully known. Lastly, TAUWP would like to insist that when a majority of the bargaining contracts are completed, equity be assured for nonrepresented groups.

Cochairperson Rude said that it is traditional policy that the Joint Committee reevaluate the pay plans following the completion of bargaining and he thought the points Mr. Byrd raised were good ones that Secretary Litscher, hopefully, would readdress.

Sally Drew, Association of Career Employees (ACE), said that she was not speaking totally in opposition to the Compensation Plan. She said there are a few areas of the Plan that ACE feels are improvements. Overall, ACE's concern is that the Plan does not clearly recognize the importance and quality of the workforce needed to manage and operate the programs that are enacted by the Legislature. She said that this is especially disappointing because, over the last decade, ACE had worked with the DER to try to achieve parity with represented employees. ACE felt that, in the last biennium, there were major provisions, in a fairly complete reorganization of the Compensation Plan, that went a long way toward achieving parity. The proposed Plan seems to be a step back to the numerous biennia where there were very small pay raises and where it is not clear that there would be parity with the represented classes once the contracts were approved, although she said she understands there may be an opportunity to bring something back to the Joint Committee in relation to that. She said that, in general, many professionals, managers and supervisors will probably not receive as high an increase this biennium as they did in the last biennium and, in some cases, in previous biennia. She said that the lump sum for supervisors, for instance, is an improvement but it may well be wiped out by the taking away of the longevity pay because the lump sum is going to be so small. She said that the longevity pay was not very large either, but the proposed lump sum is not even likely to be big enough to offset the loss of longevity pay in many cases.

Ms. Drew said that ACE appreciates that the concept of merit pay is still there, but it is not funded and many agencies will probably not be able to provide it. She said that merit pay was the major cornerstone of the ability to begin to pay nonrepresented employees at a higher

level. Because that is not available in a real sense, ACE feels that there are employees who will continue to lose out; they will not benefit from even the provisions that are in the Plan.

Ms. Drew said that ACE appreciates the fact that the grid system is maintained and that staff whose pay is greater or equal to the grid endpoint or the grid rate (for seniority-based grids) are provided lump sum payments. This is something that ACE had specifically discussed with the DER and ACE appreciates the DER's making it possible for employees beyond the grid endpoint or grid rate to have some compensation increase.

Finally, Ms. Drew said that ACE would very much appreciate the opportunity, once the union contracts are signed, to reassess whether parity has been achieved because that has been one of the major problems in the past.

Representative Kunicki asked if Ms. Drew was aware of the language in the budget bill that would cap nonunionized employees pay at 150% of pay in the private sector. Ms. Drew said that ACE has not had a chance to study the proposal but that ACE's understanding, based on a quick review, was that the proposal would have a greater impact on some of the employees in lower level positions than it would have on the managers, supervisors and nonrepresented professionals. However, she was not sure that ACE had a lot of data to support that conclusion.

Cochairperson Rude said that the Senate Republicans have proposed deleting that provision from the budget bill. Ms. Drew said that ACE feels it would be an almost impossible task for DER to try to compare market pay for positions, especially management level positions. She noted there are all sorts of different types of compensation in the private sector that are really not available in the public sector.

Jeff Wiswell, Wisconsin Trial Judges Association, said he would not speak, in the interest of time.

Fritz Miller, Deputy State Public Defender, said he was appearing for information and that his comments would be limited to one very specific problem. He said that the proposed budget would cut approximately \$22 million from the Public Defender's budget and that is a management challenge which the Public Defender's office is facing aggressively. However, they have a particular problem with the way that ESG positions are structured. He said that if they recruit from their senior employees for managers, the employees have to take a demotion. He said that the Public Defender has lost employees because of this problem. He said that he knows that the Joint Committee understands the concept of seniority and that with seniority comes experience and with experience the ability to manage.

*Speaker Prosser moved, seconded by President Rude, to approve the Secretary's 1995-97 Compensation Plan for classified and certain unclassified employees, including executive salary group employees and elected officials, and the Secretary's recommendations on travel schedule amounts, legislative expenses*

*and temporary moving and lodging expenses, as submitted in Secretary Litscher's June 19 and 20, 1995 letters and attachments.*

*Further, to introduce and recommend passage without change of LRB-3661/3, relating to state employe compensation, the salary level of the attorney general, leaves of absence and travel; and to introduce this proposal in the Assembly.*

Senator Ellis asked if it was possible to separate approval of the judicial pay plan from the motion. Cochairperson Rude asked if that would be done as an amendment to the motion. Ms. Henkel said that either the question could be divided or Cochairperson Prosser's motion could be amended to approve the Secretary's recommendations "except the provisions relating to judges and justices."

*Senator Ellis moved, seconded by President Rude, that approval of the portion of the Compensation Plan relating to judicial pay be removed from the motion.*

In response to a question from Cochairperson Prosser, Senator Ellis explained that he wanted to vote for the pay raises for everyone except judges. He said that the judges get paid \$86,000 per year salary and the state is asking everyone else to tuck it in. He felt that the proposed pay raise for judges was excessive. He wanted to vote for the other pay raises but cast a "no" vote for the pay raises for judges.

Cochairperson Rude asked Secretary Litscher if it would be possible to defer action on the judicial pay raises until later.

Secretary Litscher said that while action could be delayed, he did not feel that would speak to the issue that Senator Ellis was raising. Therefore, he did not see any reason to delay the issue.

Cochairperson Prosser asked why the Joint Committee was taking up the judicial increases at this time and asked if one of the reasons is that new judges will take office in August. Secretary Litscher said that implementation of increases in judges' pay depends upon when any judge takes office. It could be in August or at any time during the biennium. A July date is used in the Compensation Plan to correspond to the biennium.

*President Rude said that Senator Ellis' intention had not been to make a motion but to divide the question and ordered division of Speaker Prosser's motion.*

Representative Kunicki asked if the goal was to delay the vote on judges. Cochairperson Rude said Senator Ellis' goal is to cast a no vote.

Cochairperson Rude said that the request had been made by a member to divide the question. He called for a vote on the first part of the motion, approval of the Secretary's Compensation Plan for classified and certain unclassified employees with the exception of the judicial pay plan.

*The first part of the motion carried on a roll call vote as follows: Ayes, 7 (President Rude; Speaker Prosser; Senators Ellis and Leean; and Representatives Jensen, Brancel and Kunicki); Noes, 0; and Absent, 1 (Senator Jauch).*

Cochairperson Prosser asked if the appropriate way to vote in favor of the Secretary's plan for judges is "Aye" on the second part of the motion. Cochairperson Rude said that is correct.

Cochairperson Prosser said that it seemed to him that the judicial branch of government is an equal branch of government. The executive branch is called upon, by statute, to make prudent recommendations for compensation in the judicial branch and has made a recommendation which, he was sure, the executive branch felt was a prudent recommendation. He felt it was improvident for the Joint Committee to second guess that recommendation for whatever purposes.

*The motion to approve the second portion of the motion relating to judicial pay increases carried a roll call vote as follows: Ayes, 4 (President Rude; Speaker Prosser; and Representatives Jensen and Kunicki); Noes, 3 (Senators Ellis and Leean; and Representative Brancel); and Absent, 1 (Senator Jauch).*

*Senator Leean moved, seconded by Speaker Prosser, to approve the Secretary's recommendations for 1995-97 compensation and employe benefit adjustments for faculty and academic staff of the UW System, as submitted in Secretary Litscher's June 19, 1995 letter to the Joint Committee.*

Representative Brancel said that there is statutory language which recognizes what needs to be done for the UW-Extension's funding problem and he did not know if he needed to make a motion to deal with the problem.

Senator Leean asked Secretary Litscher if the statutory language needed to be changed and if an adjustment was needed either in the budget or in this process. Secretary Litscher said that it was the DER's opinion that this is a budget item separate and distinct from the Compensation Plan. He also said the DER estimates the amount needed to be approximately \$227,000, but that is a rough calculation. Senator Leean said that the UW-System could come to the Joint Finance Committee under s. 13.10, Stats., but something could also be put into the budget. He also said that he would consider it a friendly amendment to the budget if Representative Brancel wanted the issue brought up during budget deliberations. Representative

Brancel indicated that the Joint Committee on Finance would take care of the issue using the method Senator Leean suggested.

After further discussion, President Lyall said that there is a shortfall for the fourth quarter of the current year that will carry forward into the next biennium. Therefore, this is really a problem in both fiscal years 1994-95 and 1995-96. Representative Brancel said that, as the Joint Committee on Finance worked through the budget, it did not try to backfill all federal shortfalls and, in fact, the UW-Extension took a major reduction in funding. The problem is that when this kind of problem is added on top of their other funding reductions, it exacerbates the UW-Extension's ability to deal with programming and that is why he felt the Joint Committee needed to address this issue. He said that Mr. Rhodes had suggested a methodology and, perhaps, could visit with Senator Leean and himself after the meeting. He wanted this issue addressed one way or another.

Cochairperson Rude agreed and hoped that Senator Leean could address the problem as part of the Senate's review of the budget during the next couple of days.

*The motion to approve the compensation and benefit adjustments for faculty and academic staff carried on a roll call vote as follows: Ayes, 7 (President Rude; Speaker Prosser; Senators Ellis and Leean; and Representatives Jensen, Brancel and Kunicki); Noes, 0; and Absent, 1 (Senator Jauch).*

*Representative Jensen moved, seconded by Speaker Prosser, to approve the recommendations of the Secretary of Employment Relations, as set forth in his June 19, 1995 letter and attachments to the Joint Committee, to assign division administrator positions to Executive Salary Groups (ESG's) as follows:*

- 1. Administrator, Division of Technology Management, Department of Administration, to ESG 5.*
- 2. Administrator, Division of Administrative Services, Department of Industry, Labor and Human Relations, to ESG 4.*

*Further, to amend the listings in the 1995-97 Compensation Plan listing of unclassified division administrator assignments to reflect these assignments.*

*The motion carried on a roll call vote as follows: Ayes, 7 (President Rude; Speaker Prosser; Senators Ellis and Leean; and Representatives Jensen, Brancel and Kunicki); Noes, 0; and Absent, 1 (Senator Jauch).*

OTHER BUSINESS  
[AGENDA ITEM 6]

There was no other business before the Joint Committee at this time.

ADJOURNMENT  
[AGENDA ITEM 7]

*President Rude asked unanimous consent that the Committee adjourn. Hearing no objection, it was so ordered.*

The meeting was adjourned at 9:32 a.m.

PKC:JRH:TR:TM:pkc;jmm