



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873
Email: fiscal.bureau@legis.wisconsin.gov • Website: <http://legis.wisconsin.gov/lfb>

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Joint Committee on Finance

Paper #261

Pay Progression (District Attorneys and Public Defender)

[LFB 2015-17 Budget Summary: Page 134, #2 and Page 333, #2]

CURRENT LAW

Under 2011 Wisconsin Act 238 and 2013 Act 20, assistant district attorneys (ADAs) and deputy district attorneys (DDAs) are compensated pursuant to a merit-based pay progression plan under which prosecutors may receive annual salary adjustments. Act 20 also established a pay progression plan for assistant state public defenders (ASPDs) and assistant attorneys general (AAG) that mirrors the pay progression plan provided to assistant and deputy district attorneys. The merit-based pay progression plan consists of 17 hourly salary steps, with each step equal to one seventeenth of the difference between an attorney's lowest possible hourly salary (\$23.673 per hour) and the highest possible hourly salary (\$57.218 per hour). Notwithstanding the creation of a 17 hourly salary step pay progression plan, supervising district attorneys (DAs), the State Public Defender, and the Attorney General, may: (a) deny annual salary increases to individual ADAs and DDAs, ASPDs, and AAGs; and (b) increase the salary of individual ADAs and DDAs, ASPDs, and AAGs by up to 10% a year.

Both the District Attorneys (DA) and the Office of the State Public Defender (SPD) have an annual GPR appropriation utilized to supplement salary and fringe benefit funding in order to support salary adjustments under the pay progression plan. Base funding for salary adjustments for ADAs and DDAs totals \$3,698,600 GPR. Base funding for salary adjustments under the pay progression plan for ASPDs totals \$2,018,400 GPR.

The Department of Justice (DOJ) currently utilizes existing resources, including discretionary settlement funds, to support salary adjustments for assistant attorneys general.

The District Attorneys are currently authorized 359.25 ADA and DDA positions, including 314.15 GPR attorneys and 45.10 PR attorneys. The SPD is currently authorized 348.2 ASPD and ASPD supervisor positions (all of which are funded through GPR). The Department of Justice is

currently authorized 96.4 AAG and AAG supervisor positions, including 76.5 GPR-funded AAGs, 16.9 PR-funded AAGs, and 3.0 FED-funded AAGs.

GOVERNOR

Reduce funding for District Attorneys by \$3,698,600 GPR annually and reduce funding for the SPD by \$2,018,400 GPR annually in order to eliminate base funding for salary adjustments under the pay progression plan for assistant and deputy assistant district attorneys and assistant state public defenders. While the bill would eliminate base funding for pay progression for ADAs, DDAs, and ASPDs, the bill would not eliminate the pay progression appropriations and statutory structure.

DISCUSSION POINTS

1. Under the current state employee compensation plan established by the Officer of State Employee Relations (OSER), the minimum hourly salary for assistant and deputy district attorneys and assistant state public defenders is \$23.673 per hour, or \$49,430 annually. The maximum hourly salary for these employees is \$57.218 per hour, or \$119,472 annually. [Note that due to supervisory responsibilities, deputy district attorneys and ASPD supervisors may earn an additional \$2.75 per hour, though as a matter of practice the SPD only awards ASPD supervisors a \$2.40 per hour increase.] Typically, newly hired attorneys are compensated at the minimum salary level. Under the pay progression plan, after having been employed for 12 continuous months, ADAs, DDAs, and ASPDs may, at the discretion of their supervisor, receive up to a 10% increase in their salary on an annual basis until the attorney reaches the maximum allowable salary under the compensation plan. Once an attorney reaches the maximum salary level under the compensation plan, the attorney may no longer receive salary adjustments under the pay progression plan.

2. In establishing a pay progression plan for the District Attorneys and the SPD, the Legislature created a separate GPR annual appropriation for both DAs and the SPD to support salary increases under the pay progression plan. The District Attorneys were provided \$1,018,400 GPR in 2013-14 and \$3,625,500 GPR in 2014-15 to support salary increases under the pay progression plan for assistant and deputy district attorneys. The SPD was provided \$997,000 GPR in 2013-14 and \$1,978,600 GPR in 2014-15 to support salary increases under the pay progression plan for assistant state public defenders.

3. In 2013-14, the District Attorneys and State Public Defender utilized pay progression funding to increase the salary of eligible attorneys by one hourly salary step. In 2014-15, 332 assistant and deputy district attorneys eligible for pay progression, on average, received a 6.6% salary increase. In addition, in 2014-15, the District Attorneys awarded 152 eligible attorneys an average one-time lump sum award totaling \$2,000. In 2014-15, 303 assistant state public defenders eligible for pay progression, on average, received a 4.4% salary increase. [Note that average salary increases identified above: (a) include 0% increases awarded to certain attorneys; and (b) does not include attorneys who did not receive a salary increase because either the attorney already received the maximum salary under the compensation plan or the attorney planned to leave the agency's

employment.]

4. For both the District Attorneys and the State Public Defender, the 2013-15 budget act provided additional funding in 2014-15 as compared to 2013-14 to support salary increases under the pay progression plan. When budgeting for salary adjustments under the pay progression plan over the 2013-15 biennium, additional funding was provided in the second fiscal year of the biennium in order to support both: (a) the salary increases that were provided in the 2013-14; and (b) additional salary increases that were provided in 2014-15. In budgeting for the 2015-17 biennium, funding to support the salary increases that were issued over the 2013-15 biennium is provided in the full funding of continuing position salaries and fringe benefits standard budget adjustment. If funding is provided for additional salary adjustments during the 2015-17 biennium, funding could be provided in a similar manner.

5. Unlike the District Attorneys and the SPD, the Department of Justice does not have a separate GPR appropriation to support salary adjustments under the pay progression plan for assistant attorneys general. During the 2013-15 biennium, DOJ supported salary adjustments primarily through the use of discretionary settlement funds obtained from the national mortgage settlement of 2012. Discretionary settlement funds are amounts received by DOJ as a result of litigation, and the funds generally may be expended for any purpose permitted by state law, at the sole discretion of the Attorney General.

Attorney Retention

6. Table 1 provides information from OSER on the separation rates (rates of departure) from 2004-05 through 2013-14 for ADAs, ASPDs, and other nonsupervisory state attorneys.

TABLE 1**Rates of Separation by Non-Supervisory Attorneys**

	<u>FY05</u>	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u> ¹
Retirement										
ADA	0.8%	1.4%	2.5%	1.1%	2.2%	3.1%	3.0%	1.1%	1.7%	1.7%
ASPD	1.2	0.4	1.6	2.8	1.9	1.2	5.5	2.3	0.7	1.8
Other Nonsupervisory										
State Attorneys	3.5	2.8	1.4	4.6	4.7	4.5	8.2	5.0	4.6	2.2
Non-Retirement Separations										
ADA ²	6.0%	6.8%	3.6%	6.8%	6.0%	4.2%	5.1%	8.1%	7.6%	7.9%
ADA Alternate ³	7.6	9.5	6.3	8.2	7.4	5.0	6.1	10.2	9.0	9.6
ASPD ²	2.9	5.0	5.7	4.7	5.4	3.1	2.4	4.5	4.6	3.9
Other Nonsupervisory										
State Attorneys ²	2.1	3.2	1.0	1.4	2.2	0.4	2.2	5.4	4.2	2.2
Total Retirement and Non-Retirement Separations										
ADA	6.8%	8.2%	6.1%	7.9%	8.2%	7.3%	8.1%	9.2%	9.3%	9.6%
ADA Alternate	8.4	10.9	8.8	9.3	9.6	8.1	9.1	11.3	10.7	11.3
ASPD	4.1	5.4	7.3	7.5	7.3	4.3	7.9	6.8	5.3	5.7
Other Nonsupervisory										
State Attorneys	5.6	6.0	2.4	6.0	6.9	4.9	10.4	10.4	8.8	4.4

¹ 2013-14 was the first fiscal year in which funding for pay progression was provided.

² These separations only include separations from state service. These separations do not include appointments to other positions in Wisconsin state service, such as appointment to a District Attorney position or state circuit court judge position.

³ Alternate separation data for ADAs includes transfers to non-ADA positions in Wisconsin state service (excluding a promotion to a DDA position), including appointment to a District Attorney position and appointment to a judge position.

7. Appendix I and Appendix II provides additional information compiled by OSER on separations from state service by job group by permanent classified employees (excluding the UW system) for 2012-13 and 2013-14, respectively. Note that the attorney job group listed in Appendix I and Appendix II does not include ADAs and ASPDs, since ADAs and ASPDs are unclassified employees. As Appendix I indicates, the separation rate from state service by job group in 2012-13 ranged from 0.0% to 21.0%, while the average separation rate across all job groups was 9.0%. Appendix II indicates that the separation rate from state service by job group ranged from 0.0% to 25.8% in 2013-14, while the average separation rate across all job groups was 9.9%. In comparing the separation data for the ADAs and ASPDs (provided in Table 1) with other job groups in state service, it would appear as though the ADA and ASPD separation rate has been similar to that of other job groups within state service. When comparing the data in Table 1 and Appendices I and II, however, it should be noted that the job groups listed in Appendices I and II vary in the level of professional training and education required to adequately perform the job.

8. While the salary provided to ADAs and ASPDs has been identified as a key concern in the retention of these employees, there are many factors that may contribute to an employee's

decision to remain employed with his or her current employer or seek opportunities elsewhere. The extent to which attorneys may leave state service as ADAs due to dissatisfaction with salary levels cannot be answered based on the available data. It is likely that some resignations are related to salary issues, in whole or in part, while other resignations are unrelated to salary concerns. The State Prosecutors Office has provided data on employees vacating ADA positions from 2001 through June 2014. This information provides some perspective on retention issues.

9. Of the 587 departures from 2001 through June, 2014, 88 (15%) were transfers to ADA positions in a different county and 48 (8.2%) represented appointments to deputy DA positions or election or appointment to a DA position. Further, 77 departures (13.1%) were due to retirement. In addition, 37 departures (6.3%) were due to discharge, layoff, position termination, health, disability, and death. In total, 250 (42.6%) of the 587 departures over a 13 and a half-year period were not for reasons that would clearly be associated with salary dissatisfaction.

10. During the 13 and a half-year period, 67 departures (11.4%) were due to ADAs taking government positions with local units of government, the state, and the federal government, including 16 who became circuit court judges, 21 who took other state legal positions, seven who became court commissioners, and one who became a federal judge. While these departures may have been motivated, in part, by salary dissatisfaction, they may also have been motivated by a desire for career advancement while still working in government, or for other reasons.

11. The remaining cases, which represent resignations from ADA positions for other reasons, total 270, or 46.0% of the departures. For 195 of these 270 resignations, no reason was recorded for the resignation. Table 2 summarizes the variety of reasons provided for the remaining 75 resignations.

TABLE 2

Reasons for ADA Resignations 2001 Through June, 2014

<u>Reason for Resignation</u>	<u>Number</u>
Private sector (leaving state service)	20
Did not return from leave of absence	11
Local legal position	10
Moved out of state	8
Local position	7
Other	6
Family care	2
Personal reasons	2
Prosecutor with another state	2
Resigned-stay at home	2
Full-time to part-time	1
Practice in religious community	1
Moved out of country	1
Returned to school	1
Self-employed writer	<u>1</u>
Total	75

12. Over the 13 and a half year period, it appears that many motivational factors may contribute to resignation decisions for assistant district attorneys, as is the case for other occupational groups.

13. As with the ADAs, it would appear as though attorney departures from the SPD likely occurred for a variety of reasons. Of the 52 non-supervisory attorney departures the SPD identified from 2012-13 through March, 2015, nine were the result of retirements, four were the result of an attorney moving out of state or away from his or her home, two were the result of a family issue or a desire to stay at home, and one was the result of a medical issue.

14. Further, 21 attorneys separated from the SPD for a new job with another state agency, a District Attorney's office, a local corporation counsel, the courts, a federal agency, or private practice. In addition, two SPD attorneys resigned as a result of being voted into an elected office. While it is likely that salary dissatisfaction was a contributing factor in several of these attorneys' resignation, it is also likely that career advancement was a contributing factor. [Note that for the remaining 13 attorney separations from the SPD from 2012-13 through March, 2015, information does not exist regarding the reason for resignation.]

15. From 2012-13 through March, 2015, 14 assistant attorneys general departed from the Department of Justice. Of these 14 departures, seven were the result of retirement, two were the result of the attorneys transferring to another state agency, and two were the result of an attorney being appointed as a judge for either a federal court or a Wisconsin Court of Appeals. Of the remaining three departures, two departures were the result of the attorney leaving state service and one departure was the result of an attorney's leave of absence to fill an unclassified position.

Analysis of Pay Progression Provisions in AB 21/SB 21

16. The bill eliminates base funding for the District Attorneys and the Office of the State Public Defender to make salary adjustments under the pay progression plan. The bill does not, however, eliminate the pay progression appropriations or statutory structure. Under the bill, any funding for pay progression during the 2015-17 biennium would need to be provided from within the agency's budget or from compensation reserves, or both. The bill provides \$10,692,500 GPR in 2015-16 and \$18,616,800 GPR in 2016-17 in compensation reserves.

17. It should be noted, however, that compensation reserves are included in the general fund condition statement to supplement agencies' budgets that are unable to support actual salary and fringe benefit costs, as authorized by the state employee compensation plan. The administration indicates that it would not provide compensation reserves to either the District Attorneys or the SPD to support salary adjustments under pay progression. Further, agencies' budgets are typically calculated based upon anticipated actual costs. Therefore, it may be difficult for either the DAs or the SPD to utilize its existing budget to support salary adjustments under the pay progression plan.

18. Unlike the DAs and the SPD, however, the Department of Justice receives discretionary settlement funds that generally may be utilized for any purpose permitted by state law, at the discretion of the Attorney General. During the 2013-15 biennium, DOJ was not provided funding specifically allocated for pay progression. Rather, the agency utilized discretionary

settlement amounts to support pay progression for AAGs. The Department projects that it will begin the 2015-17 biennium with \$3,062,600 in discretionary settlement funds, and that it will close the biennium with \$1,062,600 in discretionary settlement funds. Since discretionary settlement funds may be utilized for any purpose permitted by state law, it could be argued that DOJ could utilize base resources to support salary adjustments under the pay progression plan. The Department indicates that it, "...has not yet made a decision on whether salary adjustments will be made in FY 16 and FY 17 for pay progression." Based upon a list of 67 AAGs eligible for pay progression during the 2015-17 biennium provided by DOJ, it would cost \$564,800 in 2015-16 and \$1,096,600 in 2016-17 to provide a 10% annual salary increase to eligible AAGs.

19. In budgeting for compensation for state employees, similar classes of employees are typically budgeted for in similar manners. To this point, the current state employee compensation plan provides the same minimum and maximum hourly salary level (\$23.673 per hour and \$57.218 per hour, respectively) for assistant DAs, assistant state public defenders, and assistant AGs. Further, in recognizing the vital role that the ADAs, ASPDs, and AAGs all play in the criminal justice system, the state has provided a similar pay progression plan for ADAs, ASPDs, and AAGs. Therefore, if the Committee decides to provide funding for pay progression, the Committee may wish to provide funding to both the District Attorneys and the State Public Defender. [As indicated above, it could be argued that DOJ could utilize discretionary settlement funds to support salary adjustments under the pay progression plan, if the Attorney General so chooses.]

20. The value of individual attorneys to DA offices and the SPD increases with time of service. With experience, the ability of these attorneys to address an increased caseload improves, and the quality of service that these attorneys can provide to the state and affected individuals also improves. In addition, when attorney turnover is reduced, DA offices and the SPD can minimize the resources that must be applied to the recruitment and training of new attorneys. Finally, in retaining quality staff, increased compensation can be a tangible way for the DAs and the SPD to indicate to staff that the staff, and the work the staff performs, is valued.

21. Therefore, given the benefits of reducing attorney turnover and that the DAs and the SPD would most likely be unable to support salary adjustments under the pay progression plan with existing resources under the bill, the Committee could provide funding to both the DAs and the SPD to support salary adjustments under the pay progression plan.

22. The maximum annual salary adjustment that may be provided under the pay progression plan for assistant and deputy DAs and ASPDs is 10%. If the Committee decides to provide the DAs and the SPD funding to support a 10% salary increase for eligible ADAs, DDAs, and ASPDs, the Committee could provide: (a) \$2,700,500 GPR in 2015-16 and \$5,286,400 GPR in 2016-17 to the District Attorneys; and (b) \$2,331,400 GPR in 2015-16 and \$4,564,300 GPR in 2016-17 to the Office of the State Public Defender [Alternative 2]. This alternative represents a total commitment of \$14,882,600 GPR over the 2015-17 biennium. Under this alternative, funding is not provided to the Department of Justice for pay progression. Rather, DOJ would need to utilize discretionary settlement funds or other existing base resources to support salary adjustments for AAGs during the 2015-17 biennium.

23. Current law provides that salary adjustments under the pay progression plan are to be

provided based upon an attorney's merit. It could be argued that providing funding to support a 10% salary increase for all eligible attorneys would be counter to the idea that adjustments are based on merit, as a 10% salary increase is the maximum adjustment allowable under the pay progression plan.

24. Instead, for example, the Committee could provide funding to support a 5% salary increase for eligible ADAs, DDAs, and ASPDs [Alternative 3]. If the DAs and the SPD were provided funding to support a 5% salary increase, supervising DAs and the State Public Defender could provide certain attorneys an annual salary increase higher or lower than 5%, based upon performance reviews of eligible staff attorneys. In order to provide the DAs and the SPD funding to support an average 5% salary increase for eligible ADAs, DDAs, and ASPDs, the Committee could provide the DAs with \$1,380,200 GPR in 2015-16 and \$2,764,600 GPR in 2016-17, and provide the SPD \$1,200,000 GPR in 2015-16 and \$2,416,700 GPR in 2016-17. Similar to Alternative 2, this alternative would not provide funding to DOJ for pay progression.

25. Alternatively, the Committee could provide the DAs and the SPD an equivalent amount of funding that is eliminated under the bill. The bill eliminates \$3,698,600 GPR annually of funding from the DAs (\$7,397,200 GPR over the 2015-17 biennium) and \$2,018,400 GPR annually of funding from the SPD (\$4,036,800 GPR over the 2015-17 biennium). As indicated above, when budgeting for salary adjustments under the pay progression plan, additional funding needs to be provided in the second year of the biennium since amounts provided in the second year of the biennium must support: (a) salary adjustments provided in the first year of the biennium; and (b) salary adjustments provided in the second year of the biennium.

26. Accordingly, the Committee could decide to provide the District Attorneys \$2,495,000 GPR in 2015-16 and \$4,902,200 GPR in 2016-17 (\$7,397,200 over the 2015-17 biennium) and provide the SPD with \$1,341,200 GPR in 2016-17 and \$2,695,600 GPR in 2016-17 (\$4,036,800 GPR over the 2015-17 biennium) [Alternative 4]. Under this alternative, funding would be provided to the District Attorneys to support a 9.2% average annual salary increase for eligible ADAs and DDAs. Further, this alternative would provide sufficient funding to the SPD to provide a 5.6% average annual salary increase for eligible ASPDs. Given the important role that both state prosecutors and state public defenders play in the criminal justice system, however, it could be argued that funding should be provided to the DAs and the SPD to award a similar average salary adjustment to eligible attorneys.

27. The Committee could also consider providing funding to support a salary increase for eligible ADAs, DDAs, and ASPDs in only one year of the biennium. In order to support a salary increase in only 2015-16, an equivalent amount of funding must be provided in both 2015-16 and 2016-17 (funding would be provided in 2016-17 to support the salary increase provided in 2015-16). As a result, for example, the Committee could provide funding to support a 5% average salary increase for eligible ADAs, DDAs, and ASPDs in only 2015-16 [Alternative 5]. In order to support an average salary increase of 5% in 2015-16, the Committee could provide the DAs with \$1,380,200 GPR annually and provide the SPD with \$1,200,000 GPR annually.

28. In addition, the Committee could consider providing funding to support a salary increase for eligible ADAs, DDAs, and ASPDs in only 2016-17. In order to support a salary

increase in only 2016-17, funding for salary increases would not need to be provided in 2015-16. Accordingly, the Committee could provide, for example, funding to support a 5% average salary increase for eligible ADAs, DDAs, and ASPDs in only 2016-17 [Alternative 6]. In order to support an average salary increase of 5% in 2016-17, the Committee could provide the DAs with \$1,380,200 GPR in 2016-17 and provide the SPD with \$1,200,000 GPR in 2016-17.

29. As indicated above, providing funding to support even a 5% average annual salary increase for eligible ADAs, DDAs, and ASPDs would cost a significant amount of general purpose revenue over the 2015-17 biennium (\$7,761,500 GPR). As previously indicated, the pay progression plan authorizes annual salary increases of up to 10%.

30. Given the financial obligation pay progression would represent during the 2015-17 biennium, the Committee could decide to adopt the Governor's recommendation and eliminate base funding for pay progression for the DAs and the SPD [Alternative 1]. Under this alternative, the appropriation and statutory structure of pay progression would remain law. As such, funding for pay progression for the DAs and the SPD could be provided in future biennia.

31. On the other hand, the Committee could decide to eliminate the pay progression plan altogether for assistant and deputy DAs, assistant state public defenders, and assistant attorneys general [Alternative 7]. As pay progression is a commitment to move these attorneys from the minimum hourly salary available to these employees (currently \$23.673 per hour) to the maximum available hourly salary available to these employees (currently \$57.218 per hour), pay progression is a substantial ongoing financial commitment for the state. Further, since the state must continue to support the cost of past salary increases, the annual cost of supporting the pay progression plan builds on itself. For example, as previously indicated, the cost of supporting a 5% annual salary increase for ADAs, DDAs, and ASPDs under the pay progression plan would be \$2,580,200 GPR in 2015-16 and \$5,181,300 GPR in 2016-17. It is estimated that providing a similar 5% annual salary increase during the 2017-19 biennium would cost \$7,695,000 GPR in 2017-18 and \$10,104,600 in 2018-19. The costs of pay progression for ADAs, DDAs, and ASPDs would still be higher than these estimates if funding is provided for 10% annual pay progression increases, as is allowable under current law.

32. The ultimate annual cost of pay progression, however, depends on turnover rates. A higher turnover rate reduces the annual cost of pay progression as more highly compensated attorneys would be replaced by lower compensated attorneys. It should be noted, however, that the intent of the pay progression plan is to reduce attorney turnover.

33. Finally, while it is the intent of pay progression to reduce attorney turnover in the DA, SPD, and DOJ function, the extent to which this goal is obtainable is unclear. As previously indicated, attorneys have left state service for a variety of reasons, and while salary is likely to be a significant factor, other factors such as career advancement and personal decisions have also contributed to turnover. Further, in comparing Table 1 and Appendices I and II, it would appear as through the ADA and ASPD separation rate from state service is similar to the rates of separation from state service for other job groups employed by the state. Therefore, the Committee could decide not to continue to make an ongoing financial commitment to reducing the turnover rate of one sector of state employee.

ALTERNATIVES

1. Approve the Governor's recommendation and eliminate base funding for pay progression for the District Attorneys and the State Public Defender. Eliminated funding would total \$5,717,000 GPR annually (\$3,698,600 GPR annually from the DAs and \$2,018,400 GPR annually from the SPD). Under this alternative, the appropriation and statutory structure of pay progression would be maintained.

2. Provide the District Attorneys \$2,700,500 GPR in 2015-16 and \$5,286,400 GPR in 2016-17 and provide the Office of the State Public Defender \$2,331,400 GPR in 2015-16 and \$4,564,300 in 2016-17 to support a 10% annual salary adjustment for assistant and deputy district attorneys and assistant state public defenders under the pay progression plan.

ALT 2	Change to Bill
GPR	\$14,882,600

3. Provide the District Attorneys \$1,380,200 GPR in 2015-16 and \$2,764,600 GPR in 2016-17 and provide the SPD \$1,200,000 GPR in 2015-16 and \$2,416,700 GPR in 2016-17 to support an average 5% annual salary adjustment for assistant and deputy district attorneys and assistant state public defenders under the pay progression plan.

ALT 3	Change to Bill
GPR	\$7,761,500

4. Delete the Governor's recommendation and restore funding eliminated under the bill for pay progression for the DAs (\$7,397,200 GPR over the 2015-17 biennium) and the SPD (\$4,036,800 GPR over the 2015-17 biennium). Utilize this funding to provide the DAs with \$2,495,000 GPR in 2015-16 and \$4,902,200 GPR in 2016-17 to support a 9.2% average salary adjustment for ADAs and DDAs eligible under the pay progression plan. Further, provide the SPD with \$1,341,200 GPR in 2016-17 and \$2,695,600 GPR in 2016-17 to support a 5.6% average salary adjustment for ASPDs eligible under the pay progression plan.

ALT 4	Change to Bill
GPR	\$11,434,000

5. Provide the District Attorneys \$1,380,200 GPR annually and provide the SPD \$1,200,000 GPR annually to support an average 5% salary adjustment in only 2015-16 for assistant and deputy district attorneys and assistant state public defenders under the pay progression plan.

ALT 5	Change to Bill
GPR	\$5,160,400

6. Provide the District Attorneys \$1,380,200 GPR in 2016-17 and provide the SPD \$1,200,000 GPR in 2016-17 to support an average 5% salary adjustment in only 2016-17 for assistant and deputy district attorneys and assistant state public defenders under the pay progression plan.

ALT 6	Change to Bill
GPR	\$2,580,200

7. Repeal current law associated with the pay progression plan for assistant and deputy district attorneys, assistant state public defenders, and assistant attorneys general.

Prepared by: Michael Steinschneider
Attachments

APPENDIX I

Separations from State Service by Job Group 2012-13 Permanent Classified Employees Excluding UW System

<u>Job Group</u>	<u>Average Count in Job Group</u>	<u>Non-Retirement Separations</u>		<u>Retirements</u>		<u>Total All Separations</u>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Communication Equipment Operators	62.0	11	17.7%	2	3.2%	13	21.0%
Personal Care Aides	1,727.0	289	16.7	35	2.0	324	18.8
General Laborers	258.5	29	11.2	13	5.0	42	16.2
Psychologists	225.5	30	13.3	3	1.3	33	14.6
Technicians - Health Care & Related	875.0	85	9.7	39	4.5	124	14.2
Librarians, Archivists, & Curators	99.0	6	6.1	7	7.1	13	13.1
Clerks - Shipping, Storage & Related	123.0	5	4.1	11	8.9	16	13.0
Inspectors & Investigators-Products & Services	282.0	23	8.2	10	3.5	33	11.7
Patient Care Professionals & Supv	904.5	69	7.6	34	3.8	103	11.4
Purchasing Professionals & Supv	72.0	4	5.6	4	5.6	8	11.1
Teachers & Education Professionals & Supv	666.0	45	6.8	26	3.9	71	10.7
Food Production & Food Service	472.5	33	7.0	17	3.6	50	10.6
Mechanical Equipment, Construction & Repair	326.5	21	6.4	13	4.0	34	10.4
Real Estate Technicians, Professionals & Supv	163.5	9	5.5	8	4.9	17	10.4
Power Plant Occupations	117.0	6	5.1	6	5.1	12	10.3
Cleaning & Buildings - Supv	90.0	5	5.6	4	4.4	9	10.0
Doctors, Dentists, & Veterinarians	138.0	5	3.6	8	5.8	13	9.4
General Clerical Occupations	1,163.5	73	6.3	35	3.0	108	9.3
Claims Determination & Collections-Prof/Supv	488.5	36	7.4	9	1.8	45	9.2
Human Resources Professionals & Supv	423.5	26	6.1	13	3.1	39	9.2
Social Services Professionals & Supv	2,897.5	195	6.7	66	2.3	261	9.0
Program Support Professionals & Supv	1,082.5	58	5.4	37	3.4	95	8.8
Attorneys	307.5	13	4.2	13	4.2	26	8.5
Administrative Support - General	1,907.0	109	5.7	52	2.7	161	8.4
Administrators-Others	241.0	11	4.6	9	3.7	20	8.3
Inspectors & Investigators-Materials & Structures	61.5	1	1.6	4	6.5	5	8.1
Planning & Research Professionals & Supv	637.0	35	5.5	16	2.5	51	8.0
Administrators-Senior Executives	526.5	16	3.0	26	4.9	42	8.0
Administrative Support - Fiscal	479.5	17	3.5	21	4.4	38	7.9
Corrections Occupations	5,064.5	283	5.6	117	2.3	400	7.9
Laboratory Technicians	25.5	2	7.8	0	0.0	2	7.8
Dietitians & Nutritionists	65.0	4	6.2	1	1.5	5	7.7
Media Technicians	26.0	1	3.8	1	3.8	2	7.7
Equal Opportunity Professionals & Supv	67.5	2	3.0	3	4.4	5	7.4
Construction Trades	136.0	4	2.9	6	4.4	10	7.4

APPENDIX I (continued)

**Separations from State Service by Job Group 2012-13
Permanent Classified Employees Excluding UW System**

<u>Job Group</u>	Average Count in <u>Job Group</u>	<u>Non-Retirement Separations</u>		<u>Retirements</u>		<u>Total All Separations</u>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Science Professionals & Supv	259.0	12	4.6	7	2.7	19	7.3
Aviation Occupations	14.5	0	0.0	1	6.9	1	6.9
Management Information Professionals & Supv	1,231.0	49	4.0	34	2.8	83	6.7
Fiscal & Related Professionals & Supv	1,175.0	47	4.0	32	2.7	79	6.7
Health Therapists	138.5	6	4.3	3	2.2	9	6.5
Law Enforcement & Public Safety	938.5	23	2.5	33	3.5	56	6.0
Technicians - Engineering & Related	460.5	9	2.0	17	3.7	26	5.6
Natural Resources Professionals & Supv	489.5	9	1.8	13	2.7	22	4.5
Architects & Engineers	1,056.5	28	2.7	17	1.6	45	4.3
Agricultural & Natural Resources Technicians	240.5	3	1.2	7	2.9	10	4.2
Environmental Specialists & Supv	512.5	9	1.8	12	2.3	21	4.1
Miscellaneous Mechanics & Repairers	63.0	1	1.6	1	1.6	2	3.2
Public Information & Media Professionals & Supv	96.5	2	2.1	1	1.0	3	3.1
Management Information Technicians	65.5	0	0.0	2	3.1	2	3.1
Seamstress & Upholsterers	<u>8.0</u>	<u>0</u>	0.0	<u>0</u>	0.0	<u>0</u>	0.0
Total	28,951.0	1,759	6.1%	849	2.9%	2,608	9.0%

APPENDIX II

Separations from State Service by Job Group 2013-14 Permanent Classified Employees Excluding UW System

<u>Job Group</u>	Average Count in <u>Job Group</u>	<u>Non-Retirement Separations</u>		<u>Retirements</u>		<u>Total All Separations</u>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Personal Care Aides	1,579.0	363	23.0%	44	2.8%	407	25.8%
Laboratory Technicians	25.0	5	20.0	1	4.0	6	24.0
Media Technicians	25.0	2	8.0	2	8.0	4	16.0
Patient Care Professionals & Supv	947.0	101	10.7	35	3.7	136	14.4
Management Information Technicians	56.0	1	1.8	7	12.5	8	14.3
Equal Opportunity Professionals & Supv	71.5	7	9.8	3	4.2	10	14.0
General Clerical Occupations	1,145.5	90	7.9	52	4.5	142	12.4
Technicians - Health Care & Related	1,090.0	107	9.8	22	2.0	129	11.8
Food Production & Food Service	475.0	39	8.2	17	3.6	56	11.8
General Laborers	258.5	22	8.5	7	2.7	29	11.2
Mechanical Equipment, Construction & Repair	324.5	20	6.2	16	4.9	36	11.1
Doctors, Dentists, & Veterinarians	137.5	9	6.5	6	4.4	15	10.9
Inspectors & Investigators-Products & Services	279.0	18	6.5	12	4.3	30	10.8
Administrative Support - General	1,939.5	141	7.3	67	3.5	208	10.7
Power Plant Occupations	115.0	6	5.2	6	5.2	12	10.4
Librarians, Archivists, & Curators	97.0	3	3.1	7	7.2	10	10.3
Human Resources Professionals & Supv	449.0	27	6.0	19	4.2	46	10.2
Teachers & Education Professionals & Supv	667.5	45	6.7	23	3.4	68	10.2
Claims Determination & Collections-Prof/Supv	482.0	37	7.7	12	2.5	49	10.2
Cleaning & Buildings - Supv	91.0	5	5.5	4	4.4	9	9.9
Administrative Support - Fiscal	488.5	29	5.9	19	3.9	48	9.8
Communication Equipment Operators	62.0	5	8.1	1	1.6	6	9.7
Administrators-Senior Executives	544.5	20	3.7	32	5.9	52	9.6
Administrators-Others	250.5	12	4.8	11	4.4	23	9.2
Corrections Occupations	5,116.0	317	6.2	133	2.6	450	8.8
Social Services Professionals & Supv	2,953.5	188	6.4	71	2.4	259	8.8
Program Support Professionals & Supv	1,121.0	59	5.3	39	3.5	98	8.7
Psychologists	245.0	13	5.3	8	3.3	21	8.6
Technicians - Engineering & Related	444.5	13	2.9	24	5.4	37	8.3
Planning & Research Professionals & Supv	687.0	37	5.4	20	2.9	57	8.3
Law Enforcement & Public Safety	951.5	57	6.0	20	2.1	77	8.1
Management Information Professionals & Supv	1,298.5	58	4.5	38	2.9	96	7.4
Dietitians & Nutritionists	68.0	2	2.9	3	4.4	5	7.4
Environmental Specialists & Supv	524.0	11	2.1	24	4.6	35	6.7
Public Information & Media Professionals & Supv	105.0	6	5.7	1	1.0	7	6.7

APPENDIX II (continued)

**Separations from State Service by Job Group 2013-14
Permanent Classified Employees Excluding UW System**

<u>Job Group</u>	<u>Average Count in Job Group</u>	<u>Non-Retirement Separations</u>		<u>Retirements</u>		<u>Total All Separations</u>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Clerks - Shipping, Storage & Related	120.5	5	4.1	3	2.5	8	6.6
Science Professionals & Supv	271.5	13	4.8	5	1.8	18	6.6
Fiscal & Related Professionals & Supv	1,242.5	48	3.9	30	2.4	78	6.3
Attorneys	318.5	8	2.5	11	3.5	19	6.0
Inspectors & Investigators-Materials & Structures	68.0	2	2.9	2	2.9	4	5.9
Real Estate Technicians, Professionals & Supv	174.0	5	2.9	5	2.9	10	5.7
Health Therapists	143.0	4	2.8	3	2.1	7	4.9
Agricultural & Natural Resources Technicians	246.5	2	0.8	10	4.1	12	4.9
Architects & Engineers	1,127.5	33	2.9	18	1.6	51	4.5
Natural Resources Professionals & Supv	511.0	7	1.4	16	3.1	23	4.5
Construction Trades	134.0	3	2.2	3	2.2	6	4.5
Miscellaneous Mechanics & Repairers	64.5	1	1.6	1	1.6	2	3.1
Purchasing Professionals & Supv	76.0	1	1.3	1	1.3	2	2.6
Aviation Occupations	15.5	0	0.0	0	0.0	0	0.0
Seamstress & Upholsterers	<u>8.5</u>	<u>0</u>	0.0	<u>0</u>	0.0	<u>0</u>	0.0
Total	29,635.5	2,007	6.8%	914	3.1%	2,921	9.9%