

1987 Assembly Bill 795

Date of enactment: April 20, 1988

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1987 Wisconsin Act 340

AN ACT to repeal 20.923 (4) (g) 5, 7 and 8; to renumber 20.923 (4) (h) 2 and 20.923 (4) (i) 2; to amend 19.42 (13) (c), 20.923 (5), 20.923 (14) and (16), 36.09 (1) (j), 36.09 (1) (j), 40.02 (17) (c), 40.02 (30) (intro.), 40.02 (31), 230.12 (1) (a) 1. b, 230.12 (10) (a) (intro.), 230.12 (10) (c), 230.35 (1m) (a) (intro.) and 230.35 (2); and to create 20.923 (4m) and 230.12 (10) (a) 3 of the statutes, relating to the salaries of chancellors of the university of Wisconsin system.

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

SECTION 1b. 19.42 (13) (c) of the statutes, as affected by 1987 Wisconsin Act 119, is amended to read:

19.42 (13) (c) All positions identified under s. 20.923 (2), (4), (4m), (6) (f) to (hd) and (8) to (10), except clerical positions.

SECTION 1g. 20.923 (4) (g) 5, 7 and 8 of the statutes are repealed.

SECTION 1r. 20.923 (4) (h) 2 of the statutes is renumbered 20.923 (4) (j) 3.

SECTION 2. 20.923 (4) (i) 2 of the statutes is renumbered 20.923 (4) (j) 2.

SECTION 2g. 20.923 (4m) of the statutes is created to read:

20.923 (4m) UNIVERSITY OF WISCONSIN SYSTEM CHANCELLORS. The board of regents of the university of Wisconsin system shall set the salaries of the chancellors of the university of Wisconsin system campuses at Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior and Whitewater and the chancellors of the university of Wisconsin-center system and the university of Wisconsin-extension. No such salary may be set a point lower than the minimum dollar value of the salary range for executive salary group 7 nor at a point higher than the maximum dollar value of the salary range for executive salary group 10.

SECTION 2r. 20.923 (5) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

20.923 (5) UNIVERSITY OF WISCONSIN SYSTEM POSITIONS. Except for those positions designated in ~~sub-~~ subs. (4) and (4m), associate and assistant vice presidents of the university of Wisconsin system; vice chancellors not identified in sub. (8), assistant chancellors, associate and assistant vice chancellors and assistants to the chancellors, along with administrative directors and associate directors of activities coded as physical plant, general operations and services and auxiliary enterprises or their equivalent, of the several campuses of the university of Wisconsin system shall be assigned to specific executive salary ranges by the board of regents of the university of Wisconsin system in whatever manner the board determines. The salaries

for such positions shall be limited only by the maximum of the respective salary range. No position under this subsection may be assigned to a salary group higher than executive salary group 6. This subsection shall take effect upon its enactment and the assignments to the respective salary ranges shall be completed and reported to the governor and the legislature as soon as practicable but not later than January 1, 1975. Thereafter, the board of regents shall annually review the assignment of the positions under this subsection and report any changes therein to the governor and the legislature.

SECTION 3. 20.923 (14) and (16) of the statutes are amended to read:

20.923 (14) SALARY ADMINISTRATION. ~~Any~~ Except as provided in s. 36.09 (1) (j), any adjustment of salary for any incumbent in a position specified in subs. (4), (4m), (8), (9), (11) and (12) is governed by the provisions of the compensation plan concerning executive salary groups as adopted by the joint committee on employment relations under s. 230.12 (3) (b).

(16) OVERTIME EXCLUSION. The salary paid to any person whose position is included under subs. (2), (4), (4m), (5) and (8) to (12) is deemed to compensate that person for all work hours. No overtime compensation may be paid to any such person for hours worked in any work week in excess of the standard basis of employment as specified in s. 230.35 (5) (a).

SECTION 4. 36.09 (1) (j) of the statutes, as affected by 1987 Wisconsin Act 4, section 22, is amended to read:

36.09 (1) (j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91, the board shall establish salaries for persons not in the classified staff prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. In the 2nd year of the biennium, payments of salaries established for the preceding year shall be continued until the enactment of an annual budget bill or bills under s. 16.476. If the budget is enacted after July 1, payments shall be made following enactment

of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for new appointments. The board may not increase the ~~pay~~ salaries of employes specified in ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless the ~~pay~~ salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the ~~pay~~ salary increase to correct salary inequities under par. (h), to fund job reclassifications or promotions, or to recognize competitive factors. The board may not increase the salary of the chancellor of the university of Wisconsin-Madison or the university of Wisconsin-Milwaukee or any chancellor identified in s. 20.923 (4m) under this paragraph unless the salary increase conforms to the compensation plan for executive salary group positions as approved under s. 230.12 (3) (b) or the board authorizes the salary increase to correct a salary inequity or to recognize competitive factors. The granting of ~~pay~~ salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the departments of administration and employment relations concerning the amounts of any ~~pay~~ salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12-month period ending on the preceding June 30.

SECTION 5. 36.09 (1) (j) of the statutes, as affected by 1987 Wisconsin Act 4, section 22m, is amended to read:

36.09 (1) (j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91, the board shall establish salaries for persons not in the classified staff prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for new appointments. The board may not increase the ~~pay~~ salaries of employes specified in ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless the ~~pay~~ salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the ~~pay~~ salary increase to correct salary inequities under par. (h), to fund job reclassifications

or promotions, or to recognize competitive factors. The board may not increase the salary of the chancellor of the university of Wisconsin-Madison or the university of Wisconsin-Milwaukee or any chancellor identified in s. 20.923 (4m) under this paragraph unless the salary increase conforms to the compensation plan for executive salary group positions as approved under s. 230.12 (3) (b) or the board authorizes the salary increase to correct a salary inequity or to recognize competitive factors. The granting of ~~pay~~ salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the departments of administration and employment relations concerning the amounts of any ~~pay~~ salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12-month period ending on the preceding June 30.

SECTION 5d. 40.02 (17) (c) of the statutes is amended to read:

40.02 (17) (c) An executive participating employe holding a position designated under s. 20.923 (4), (4m), (8) or (9) may not receive creditable service for service in that position on and after the first day of the 4th month commencing after the executive participating employe attains the age of 62 years.

SECTION 5h. 40.02 (30) (intro.) of the statutes is amended to read:

40.02 (30) (intro.) “Executive participating employe” means a participating employe employed in a position designated under s. 20.923 (4), (4m), (8) or (9) who:

SECTION 5p. 40.02 (31) of the statutes is amended to read:

40.02 (31) “Executive service” means creditable service in a position designated under s. 20.923 (4), (4m), (8) or (9) as an executive participating employe which accrues on or after the participating employe qualifies as an executive participating employe and, for a participating employe who qualifies as an executive participating employe prior to February 16, 1978, all creditable service in a position designated under s. 20.923 (4), (4m), (8) or (9) prior to the date on which the executive participating employe qualified and all creditable service accruing prior to July 1, 1973, for service in a position the duties of which are substantially included in a position designated under s. 20.923 (4), (4m), (8) or (9).

SECTION 5t. 230.12 (1) (a) 1. b of the statutes, as affected by 1987 Wisconsin Act 33, is amended to read:

230.12 (1) (a) 1. b. The provisions governing the pay of all unclassified positions except positions for employes of the university of Wisconsin system which are not identified under s. 20.923 (4), (4m) or (8), for employes of the legislature which are not identified

under s. 20.923 (4), for employes of a service agency under subch. IV of ch. 13, for employes of the state court system and for one stenographer employed by each elective executive officer under s. 230.08 (2) (g).

SECTION 6. 230.12 (10) (a) (intro.) of the statutes is amended to read:

230.12 (10) (a) *Generally.* (intro.) No appointing authority may, during any fiscal year, grant a person occupying a position in the unclassified service a pay increase in addition to any across-the-board pay increase approved in the compensation plan, if the additional pay increase exceeds an amount equal to 10% of the base pay the person received before receiving any across-the-board pay increase for that fiscal year. No person occupying a position in the unclassified service may receive a pay increase other than any across-the-board pay increase and any merit and discretionary pay adjustments approved in the compensation plan, or any equivalent adjustment, unless ~~either one~~ one of the following applies:

SECTION 7. 230.12 (10) (a) 3 of the statutes is created to read:

230.12 (10) (a) 3. The person occupies the position of chancellor of the university of Wisconsin-Madison or the university of Wisconsin-Milwaukee or a university of Wisconsin institution or institutional equivalent specified in s. 20.923 (4m) and the board of regents of the university of Wisconsin system grants the increase to correct a salary inequity or to recognize competitive factors.

SECTION 7e. 230.12 (10) (c) of the statutes, as affected by 1987 Wisconsin Act 83, is amended to read:

230.12 (10) (c) *Exceptions.* This subsection does not apply to any person employed by the office of the governor or lieutenant governor, by the university of

Wisconsin system except in a position identified under s. 20.923 (4), (4m) or (8), by the legislature except in a position identified under s. 20.923 (4), by a service agency under subch. IV of ch. 13, or by the courts, or to one stenographer employed by each elective executive officer under s. 230.08 (2) (g).

SECTION 7m. 230.35 (1m) (a) (intro.) of the statutes is amended to read:

230.35 (1m) (a) (intro.) Employes appointed to career executive positions under the program established under s. 230.24 or positions designated in s. 20.923 (4), (4m), (8) and (9) shall be entitled to annual leave of absence without loss of pay based upon accumulated continuous state service at the rate of:

SECTION 7s. 230.35 (2) of the statutes is amended to read:

230.35 (2) Leave of absence with pay owing to sickness and leave of absence without pay, other than annual leave, shall be regulated by rules of the secretary, except that unused sick leave shall accumulate from year to year. After July 1, 1973, employes appointed to career executive positions under the program established under s. 230.24 or positions designated in s. 20.923 (4), (4m), (8) and (9) shall have any unused sick leave credits restored if they are reemployed in a career executive position or in a position under s. 20.923 (4), (4m), (8) and (9), regardless of the duration of their absence. Restoration of unused sick leave credits if reemployment is to a position other than those specified above shall be in accordance with rules of the secretary.

SECTION 8. **Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The treatment of section 36.09 (1) (j) (by SECTION 5) of the statutes takes effect on July 1, 1989.