

2001 ASSEMBLY BILL 709

January 9, 2002 – Introduced by Representatives GARD, KAUFERT, KREIBICH, MUSSER, SERATTI, LA FAVE, MONTGOMERY, FREESE, KESTELL, KRAWCZYK, GUNDERSON, J. FITZGERALD, AINSWORTH, OTT, HINES, GROTHMAN, GRONEMUS, LEIBHAM, PETTIS, MILLER, NASS, D. MEYER, PLALE and STONE, cosponsored by Senators KANAVAS, COWLES, A. LASEE, ELLIS, ROESSLER and HANSEN. Referred to Committee on Colleges and Universities.

1 **AN ACT to amend** 20.923 (4g) (intro.), 36.09 (1) (j) and 230.12 (3) (e) of the
2 **statutes; relating to:** establishment of salary ranges and adjustments for
3 University of Wisconsin System senior executive positions.

Analysis by the Legislative Reference Bureau

2001 Wisconsin Act 16 (the biennial budget act) changed the manner in which salary ranges and salary adjustments are determined for positions in the senior executive pay plan at the University of Wisconsin (UW) System. Among the positions in the UW pay plan are the chancellors at the UW campuses at Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior, and Whitewater; the chancellors of the UW Colleges and the UW-Extension; the vice chancellor who is serving as deputy at the UW-Milwaukee; the senior vice presidents of the UW System; the vice chancellor who is serving as deputy at the UW-Madison; the chancellor at the UW-Milwaukee; the chancellor at the UW-Madison; and the president of the UW System. Under the biennial budget act, the salary ranges and salary adjustments for these positions are determined by the board of regents of the UW System (board) and the ranges and adjustments must be based on an analysis of the salaries paid for similar positions at comparable universities in other states.

Before the biennial budget act, the secretary of employment relations, after receiving recommendations from the board, was required to make recommendations for salary ranges and adjustments for these senior executive positions and the recommendations took effect upon approval by the joint committee on employment

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relations. The board did not determine the salary ranges or adjustments and there was no requirement that the ranges and adjustments must be based on an analysis of the salaries paid for similar positions at comparable universities in other states. This bill restores the process that existed before the biennial budget act for determining salary ranges and adjustments for these UW System senior executive positions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.923 (4g) (intro.) of the statutes, as affected by 2001 Wisconsin
2 Act 16, is amended to read:

3 **20.923 (4g)** UNIVERSITY OF WISCONSIN SYSTEM SENIOR EXECUTIVE POSITIONS.
4 (intro.) A compensation plan consisting of 9 university senior executive salary
5 groups is established for certain administrative positions at the University of
6 Wisconsin System. The salary ranges and adjustments to the salary ranges for the
7 university senior executive salary groups 1 and 2 shall be contained in the
8 recommendations of the secretary of employment relations under s. 230.12 (3) (e).
9 ~~The salary ranges and adjustments to the salary ranges for university senior~~
10 ~~executive salary groups 3 to 9 shall be determined by the board of regents of the~~
11 ~~University of Wisconsin System based on an analysis of salaries paid for similar~~
12 ~~positions at comparable universities in other states.~~ The board of regents shall set
13 the salaries for these positions within the ranges to which the positions are assigned
14 to reflect the hierarchical structure of the system, to recognize merit, to permit
15 orderly salary progression and to recognize competitive factors. The salary of any
16 incumbent in the positions identified in pars. (ae) to (f) may not exceed the maximum
17 of the salary range for the group to which the position is assigned. The positions are
18 assigned as follows:

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1 **SECTION 2.** 36.09 (1) (j) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 **36.09 (1) (j)** Except where such matters are a subject of bargaining with a
4 certified representative of a collective bargaining unit under s. 111.91, the board
5 shall establish salaries for persons not in the classified staff prior to July 1 of each
6 year for the next fiscal year, and shall designate the effective dates for payment of
7 the new salaries. In the first year of the biennium, payments of the salaries
8 established for the preceding year shall be continued until the biennial budget bill
9 is enacted. If the budget is enacted after July 1, payments shall be made following
10 enactment of the budget to satisfy the obligations incurred on the effective dates, as
11 designated by the board, for the new salaries, subject only to the appropriation of
12 funds by the legislature and s. 20.928 (3). This paragraph does not limit the
13 authority of the board to establish salaries for new appointments. The board may
14 not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and
15 230.08 (2) (d) under this paragraph unless the salary increase conforms to the
16 proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary
17 increase to correct salary inequities under par. (h), to fund job reclassifications or
18 promotions, or to recognize competitive factors. The board may not increase the
19 salary of any position identified in s. 20.923 (4g) under this paragraph unless the
20 salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the
21 board authorizes the salary increase to correct a salary inequity or to recognize
22 competitive factors. The board may not increase the salary of any position identified
23 in s. 20.923 (4g) ~~(ae) and (am)~~ to correct a salary inequity that results from the
24 appointment of a person to a position identified in s. 20.923 (4g) ~~(ae) and (am)~~ unless
25 the increase is approved by the department of employment relations. The granting

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1 of salary increases to recognize competitive factors does not obligate inclusion of the
2 annualized amount of the increases in the appropriations under s. 20.285 (1) for
3 subsequent fiscal bienniums. No later than October 1 of each year, the board shall
4 report to the joint committee on finance and the departments of administration and
5 employment relations concerning the amounts of any salary increases granted to
6 recognize competitive factors, and the institutions at which they are granted, for the
7 12-month period ending on the preceding June 30.

8 **SECTION 3.** 230.12 (3) (e) of the statutes, as affected by 2001 Wisconsin Act 16,
9 is amended to read:

10 230.12 **(3)** (e) *University of Wisconsin system senior executives, faculty and*
11 *academic staff employees.* The secretary, after receiving recommendations from the
12 board of regents, shall submit to the joint committee on employment relations a
13 proposal for adjusting compensation and employee benefits for employees under ss.
14 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective
15 bargaining unit under subch. V of ch. 111 for which a representative is certified. The
16 proposal shall include the salary ranges and adjustments to the salary ranges for the
17 university senior executive salary groups ~~1 and 2~~ established under s. 20.923 (4g).
18 The proposal shall be based upon the competitive ability of the board of regents to
19 recruit and retain qualified faculty and academic staff, data collected as to rates of
20 pay for comparable work in other public services, universities and commercial and
21 industrial establishments, recommendations of the board of regents and any special
22 studies carried on as to the need for any changes in compensation and employee
23 benefits to cover each year of the biennium. The proposal shall also take proper
24 account of prevailing pay rates, costs and standards of living and the state's
25 employment policies. The proposal for such pay adjustments may contain

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1 recommendations for across-the-board pay adjustments, merit or other
2 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)
3 shall apply to the process for approval of all pay adjustments for such employees
4 under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved
5 by the joint committee on employment relations and the governor shall be based
6 upon a percentage of the budgeted salary base for such employees under ss. 20.923
7 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit
8 and adjustments other than across-the-board pay adjustments is available for
9 discretionary use by the board of regents.

SECTION 4. Nonstatutory provisions.

10
11 (1) No later than May 1, 2002, the secretary of employment relations shall
12 submit to the joint committee on employment relations a proposal that contains the
13 salary ranges and adjustments to the salary ranges for the university senior
14 executive salary groups established under section 20.923 (4g) (ar) to (f) of the
15 statutes for the 2002–03 fiscal year. No salary adjustment for any individual holding
16 a position in the university senior executive salary groups established under section
17 20.923 (4g) (ar) to (f) of the statutes may take effect for the 2002–03 fiscal year until
18 the proposal that is submitted by the secretary of employment relations is approved
19 by the joint committee on employment relations.

20 (END)