

Pers 5, 18

Filed May 29, 1968
2:17 P.M.

STATE OF WISCONSIN)
)
STATE PERSONNEL BOARD)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

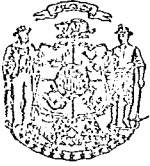
I, C. K. Wettengel, Secretary of the State Personnel Board, and custodian of the official records of said board, do hereby certify that the amendments and changes to the rules relating to deviation workweek, overtime, probationary increases and vacation were duly approved and adopted by the Wisconsin State Personnel Board on May 24, 1968.

I further certify that said copy has been compared by me with the original on file with this board and that the same is a true copy thereof and of the whole such original.

IN TESTIMONY WHEREOF, I have
set my hand at the State
Office Building, in the City
of Madison, this 27th day of
May, A.D., 1968.

STATE OF WISCONSIN SS
DEPARTMENT OF STATE
RECEIVED AND FILED
MAY 29 1968
ROBERT C. ZIMMERMAN
SECRETARY OF STATE


C. K. WETTENGEL
SECRETARY



STATE OF WISCONSIN

STATE PERSONNEL BOARD

ROOM B-135 STATE OFFICE BUILDING
MADISON WISCONSIN 53702

CHARLES F. BRECHER
JOHN A. SERPE
JOHN H. SHIELS
JEROME M. SLECHTA
WILLIAM AHRENS

ORDER OF THE WISCONSIN STATE PERSONNEL BOARD AMENDING, ADOPTING, CREATING RULES

Pursuant to authority vested in the Wisconsin State Personnel Board by Section 16.05(2) and Chapter 227, Wis. Stats., the Wisconsin State Personnel Board hereby repeals, amends, and adopts rules as follows:

Subsection Pers 5.03(1) of the Wisconsin Administrative Code is amended to read:

Pers 5.03 Salary Increases. (1) PROBATIONARY INCREASE.

A probationary increase of one step shall be granted pursuant to section 16.105(2)(d), WIS. STATS., effective the first scheduled work day following completion of the first six months of the established probationary period.

Section Pers 5.09 of the Wisconsin Administrative Code is repealed and adopted to read:

Pers 5.09 Overtime. (1) DEFINITION: (a) Overtime: Time that an employe works in excess of 40 hours per each 7 consecutive calendar day period.

- (b) Regular Rate: Rate based on the basic pay rate plus the total paid in night differential compensation.
- (c) Premium Rate: Compensation in cash at a rate of one and one-half times the regular rate paid the employe for the workweek in which overtime is worked or compensation in time off at a rate of one and one-half the number of hours worked.
- (d) Continuing Overtime: Overtime which can be anticipated within 3 or more weeks in advance of its occurrence and which is expected to require 40 or more hours of overtime for any one employe within any 10 week period.

(2) General Policy on Overtime.

- (a) Overtime work is to be held to a minimum consistent with the needs of the service.
- (b) All overtime work for either compensatory time off or for cash payment must be authorized by the appointing authority.
- (c) Bureau of Personnel approval is also required for cash payment when the conditions of employment are expected to require continuing overtime.
- (d) Additional pay for overtime work shall not be considered as a part of an employe's base pay.

- (e) All cash overtime payments shall be separately recorded on the payroll.
- (f) Any additional cash compensation shall cease to be payable without the right of appeal whenever the employe's scheduled hours of work are reduced to 40 hours per week.
- (g) Compensatory time off for overtime hours shall be used as soon as possible after the time is earned. If compensatory time off is to be granted to an included employe, it must be granted within the pay period that it is earned except that if requested by an included employe who is not an employe of a hospital, nursing home, school or institution of higher education, compensatory time off may be granted in accordance with the following provision pertaining to exempt employes. If compensatory time off is to be granted to an exempt employe, it must be granted within the calendar year earned, except that with the approval of the appointing authority, compensatory time off may be used within the first 6 months of the ensuing calendar year. Within the time limitations specified herein, the appointing authority shall respect the wishes of employes relative to the time at which compensatory time off may be used, insofar as he determines the needs of the service will permit.
- (h) The state is considered as one employer for the purposes of determining the number of hours worked.
- (i) Employes shall be categorized as included or exempt from requirements of premium pay for overtime according to the standards established by the director.

(3) Provisions for included employes.

Included employes shall be paid at a premium rate for all hours worked in excess of 42 hours per workweek from July 1, 1968 through January 31, 1969 and in excess of 40 hours per workweek starting with February 1, 1969. Included employes shall be compensated at a straight time rate for overtime hours worked which do not require a premium rate in accordance with the hours and dates specified in this paragraph.

(4) Provisions for exempt employes.

- (a) The pay rates for exempt employes are generally intended to compensate for all regular employment work hours. If an emergency or other non-regular occurrence requires overtime work compensation in cash or time off at up to a straight time basis for work hours over 40 per week may be granted at the discretion of the appointing authority.
- (b) If continuing overtime work is required by the nature of the function to be performed and in the judgment of the appointing authority payment for such overtime in cash or compensatory time off at up to one and one-half times the basic rate is in the best interest of the service, or if cash or compensatory time off at a rate in excess of straight time at up to one and one-half times the basic rate for non-continuing overtime is considered appropriate by the appointing authority the appointing authority shall submit a request to the director for authorization of such payment. Each such

request shall be considered based on the facts in each situation and a decision shall be made by the director to authorize or not authorize such payment, consistent with the needs of the service and fair treatment of employees.

Section Pers 5.10 of the Wisconsin Administrative Code is repealed and adopted to read:

Pers 5.10 Additional Employment. (1) DEFINITION: Additional employment is work performed by an employe outside of his regular full time position. Additional employment is of 2 types:

- (a) Employment in the same employing unit but in a different class of position than that of the employe's regular position.
- (b) Employment in a different employing unit of the same department or in a different department in the same or different class of position than that of the employe's regular position.

(2) Policy on additional employment.

- (a) Included employes shall be paid a premium rate for additional employment work hours which together with regular employment hours exceed 42 or 40 hours of work per week according to the dates specified in Pers 5.09(3). It shall be the responsibility of the department employing a person on additional employment to determine the total hours worked by the employe and to pay the premium rate when applicable.
- (b) Exempt employes shall be paid the straight time rate for the additional employment except that in exceptional cases a rate at up to one and one-half times the basic rate may be authorized by the director at the request of an appointing authority.

(3) Processing. Additional employment is limited term employment and shall be processed subject to the provisions of Chapter Pers 10.

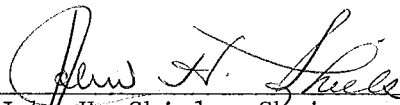
Section Pers 5.11 of the Wisconsin Administrative Code is repealed.

Subsection Pers 18.02(6) of the Wisconsin Administrative Code is amended to read:

- (6) WHEN VACATION MAY BE TAKEN. In determining vacation schedules the appointing officers shall respect the wishes of the eligible employes as to the time of taking their vacation insofar as the needs of the service will permit. Vacation allowance shall be taken during the vacation year except as follows:
- (a) Employes who are required by their appointing officer to defer all or part of their vacation for a given vacation period may be permitted to take it within the first 6 months of the ensuing vacation year.
 - (b) Employes who are unable to take unused vacation as provided in (a) above due to their work responsibilities being directly related to the legislative session may be granted additional time in which to use such vacation leave. Any such extension shall be approved by the appointing officer and reported to the director, on forms prescribed by the director.

The rules contained herein shall take effect on July 1, 1968, as permanent rules in accordance with s.s. 227, Wis. Stats.

EFFECTIVE JULY 1, 1968



John H. Shiels, Chairman
Wisconsin State Personnel Board