

CR 84-129

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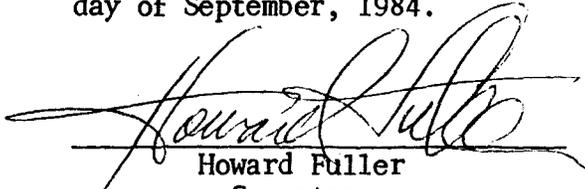
STATE OF WISCONSIN )  
 )  
DEPARTMENT OF EMPLOYMENT RELATIONS ) ss

I, Howard Fuller, Secretary of the Department of Employment Relations and custodian of the official records do hereby certify that the annexed rules relating to pay rate upon reinstatement, were duly approved and adopted by this department on September 26, 1984.

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

IN TESTIMONY WHEREOF,

I have hereunto set my hand  
at 149 East Wilson Street in  
the City of Madison, this 28th  
day of September, 1984.

  
Howard Fuller  
Secretary

ORDER of the Department of Employment Relations

AMENDING RULES

Relating to pay rate upon reinstatement

Analysis Prepared by the Department of Employment Relations:

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The pay rate of an individual upon reemployment in the classified service currently depends on whether the person has "restoration rights" or "reinstatement eligibility". Under current rules, a person with "reinstatement eligibility" cannot receive the same pay rate upon reemployment that a person with "restoration rights" can receive. An appointing authority is not afforded the flexibility to address such factors as: supervisory-subordinate pay compression, the ability of the employe to perform the duties and responsibilities, or pay equity in relation to other employes who perform similar duties and responsibilities.

The amendment is intended to provide the appointing authority with increased discretion in setting the pay rate of an employe with reinstatement eligibility. The amendment also brings the provisions relating to pay rate on reinstatement into closer conformance with the provisions relating to pay rate on restoration.

The current rule permits an appointing authority to set the pay rate of a person returning to the classified service with reinstatement eligibility at a rate within the pay range which is up to and including the last rate of pay received plus intervening across-the-board adjustments. The amendment to the rule adds discretion for the appointing authority to set the rate to also include intervening within range adjustments and equity awards, in pay schedules where equity awards are permissible.

The amendment to this rule also includes a minor modification to clarify the introductory nature of the paragraph. The conditions relating to the probationary and permanent minimum pay rates upon reinstatement remain unchanged.

Pursuant to authority vested in the Department of Employment Relations by sections 230.04 (5), 230.06 (1)(b), 230.12 (1)(a) and 227.014 (2)(a), Stats., the Department of Employment Relations amends rules interpreting sections 230.06 (1)(b) and 230.12 (1)(a), Stats., as follows:

SECTION 1. ER-Pers 29.03 (6)(b)(intro.) is amended to read:

ER-Pers 29.03 (6)(b)(intro.) When an employe is reinstated, the pay may be at any rate within the pay range for the class to which the employe is reinstated which is not greater than the last rate received; plus intervening across-the-board general pay adjustments ~~but-excluding, other~~ intervening within range pay adjustments, and, in pay schedules where applicable, an equity award. The adjustments applied to the employe's last rate received shall be that of the appropriate pay schedule for the class from which reinstatement eligibility is derived; subject to the following:

SECTION 2. The amendment contained in this order shall take effect as provided in s. 227.026 (1)(intro.), Stats.

Dated: 9/26/84

Department of Employment Relations



Howard Fuller, Secretary