

1977 Senate Bill 480

Date published: **July 15, 1977**

CHAPTER 44, Laws of 1977

AN ACT to repeal 16.085 and 16.086 (3) (am); to renumber 16.086 (4) and 16.30 (1m) (d) and (e); to renumber and amend 16.30 (1m) (a) 3; to amend 16.084

(1) and (2), 16.086 (1) (a) and (3) (a), 16.30 (1) (a) 4 and (1m) (a) 1 and 2, (b) (intro.) and (c) (intro.) and 1, 20.865 (1) (c) (intro.), 20.923 (1) and 165.055 (3); to repeal and recreate 16.086 (1) (c) 2 and 16.30 (4) (d); and to create 16.086 (4) (b), 16.30 (1m) (a) 3 and 5 and (d) and 40.16 (2m) of the statutes, relating to legislation required to implement the 1977-79 compensation plan proposals of the director of personnel, granting rule-making authority and making an appropriation.

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

SECTION 1. 16.084 (1) and (2) of the statutes are amended to read:

16.084 (1) Except as provided under sub. (2), the compensation plan provisions of ~~ss. 16.085 and s. 16.086~~ apply to all employees of the classified service, unless they are covered by a collective bargaining agreement under subch. V of ch. 111.

(2) The compensation plan in effect ~~on April 30, 1972, or~~ at the time that a representative is certified for a collective bargaining unit is certified, whichever is later, shall constitute the compensation plan for employees in ~~said the~~ certified bargaining unit until a collective bargaining agreement becomes effective for that unit. If a collective bargaining agreement expires prior to the effective date of a subsequent agreement, and a representative continues to be certified to represent employees in that collective bargaining unit, the wage rates of the employees in such a certified bargaining unit shall be frozen until a subsequent agreement becomes effective, and employees in such a certified bargaining unit shall not be covered by the compensation plan under s. 16.086.

SECTION 2. 16.085 of the statutes is repealed.

SECTION 3. 16.086 (1) (a) of the statutes is amended to read:

16.086 (1) (a) (title) *General provision.* The compensation plan is the listing of the dollar values of the pay rates and ranges and the within range pay steps of the separate pay schedules to which the classes and grade levels for positions in the classified service established under the classification plan are assigned. In addition, the compensation plan may, when applicable, include provisions for supplemental pay and pay adjustments, and other provisions required to implement the plan or amendments thereto. Provisions for administration of the compensation plan and salary transactions shall be provided in either the rules of the director or the compensation plan.

SECTION 4. 16.086 (1) (c) 2 of the statutes is repealed and recreated to read:

16.086 (1) (c) 2. The director may establish a plan of extra compensation for work performed during selected hours at an hourly rate or rates subject to approval of the joint committee on employment relations. Eligibility for such extra compensation shall be as provided in the rules of the director.

SECTION 5. 16.086 (3) (a) of the statutes is amended to read:

16.086 (3) (a) *Submission to the board.* The director shall submit to the board a proposal for any required changes in the compensation plan which may include across the board pay adjustments for positions in the classified service. The proposal shall include the amounts and methods for within range pay progression, for pay transactions, and for performance awards. The proposal shall be based upon experience in recruiting for the service, data collected as to rates of pay for comparable work in other public services and in commercial and industrial establishments, recommendations of state departments and any special studies carried on as to the need for any changes in the compensation plan to cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards

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of living, ~~the findings of the biennial wage and benefit survey conducted pursuant to par. (am)~~ and the state's employment policies.

SECTION 6. 16.086 (3) (am) of the statutes is repealed.

SECTION 7. 16.086 (4) of the statutes is renumbered 16.086 (4) (a).

SECTION 8. 16.086 (4) (b) of the statutes is created to read:

16.086 (4) (b) The director may, without prior approval of the joint committee on employment relations, grant an across the board adjustment, or appropriate portion thereof, previously approved by the committee under this section to employees who did not receive the adjustment on the effective date of the plan. "Employees" as used in this paragraph means those employees who are removed from a collective bargaining unit represented by a certified representative as the result of an approved transaction after the effective date of the director's plan but prior to the effective date of any general adjustments provided under the bargaining unit agreement. No such across the board increase may become effective prior to the effective date of the individual employe transaction. In like manner an appointing authority may grant within range pay adjustments to similarly affected employees, subject to sub. (5) and applicable funding limitations.

SECTION 9. 16.30 (1) (a) 4 of the statutes is amended to read:

16.30 (1) (a) 4. Two hundred hours each year for a full year of service after 25 years of service but the employe, ~~at his option, and~~ subject to the rules of the director, may elect to receive not to exceed 40 of such hours benefit of such 200 hours earned annual leave among one or more of these options:

- a. ~~as~~ As vacation during the year earned;
- b. ~~in~~ In cash during the year earned;
- c. ~~as~~ As credit for termination leave;
- d. ~~as~~ As accumulated sabbatical leave.

SECTION 10. 16.30 (1m) (a) 1 and 2 of the statutes are amended to read:

16.30 (1m) (a) 1. 120 hours each year for a full year of service during the first 5 years of service;

2. 160 hours each year for a full year of service during the next ~~40~~ 5 years of service;

SECTION 11. 16.30 (1m) (a) 3 of the statutes is renumbered 16.30 (1m) (a) 4 and amended to read:

16.30 (1m) (a) 4. 200 hours each year for a full year of service ~~after 15~~ during the next 5 years of service.

SECTION 12. 16.30 (1m) (a) 3 of the statutes is created to read:

16.30 (1m) (a) 3. 176 hours each year for a full year of service during the next 5 years of service;

SECTION 13. 16.30 (1m) (a) 5 of the statutes is created to read:

16.30 (1m) (a) 5. 216 hours each year for a full year of service after 20 years of service.

SECTION 14. 16.30 (1m) (b) (intro.) and (c) (intro.) and 1 of the statutes are amended to read:

16.30 (1m) (b) (intro.) Employes at the 160-hour rate may, in the year earned, elect to receive not to exceed 40 hours of such 160 hours earned annual leave ~~as among one or more of these options:~~

(c) (intro.) Employees at the 200-hour rate may, in the year earned, elect to receive not to exceed 80 hours of such 200 hours earned annual leave ~~as among one or more of these options:~~

1. Not to exceed 40 hours in cash during the year earned;

SECTION 15. 16.30 (1m) (d) of the statutes is renumbered 16.30 (1m) (e).

SECTION 16. 16.30 (1m) (d) of the statutes is created to read:

16.30 (1m) (d) Employees at the 176-hour rate shall be treated the same as employees at the 160-hour rate for optional uses of vacation under par. (b). Employees at the 216-hour rate shall be treated the same as employees at the 200-hour rate for optional uses of vacation under par. (c).

SECTION 17. 16.30 (1m) (e) of the statutes is renumbered 16.30 (1m) (f).

SECTION 18. 16.30 (4) (d) of the statutes is repealed and recreated to read:

16.30 (4) (d) In addition to the holidays granted under pars. (a) and (c), all employees except provisional, emergency and limited term employees shall earn a total of 3 paid personal holidays each calendar year. Eligibility to take the personal holidays during the year earned is subject to the following:

1. Employees serving the first 6 months of a probationary period for an original appointment or as a trainee may anticipate the personal holidays earned during each year and be eligible to take the personal holidays during the probationary period, subject to subsequent completion of the first 6 months of the probationary period and also subject to subd. 3. If an employee does not complete the first 6 months of probationary service, any holiday time taken under this paragraph shall then be considered approved leave without pay, and the agency shall recover from the employee the value of such time.

2. Employees who have completed the first 6 months of a probationary period for an original appointment or as a trainee shall be eligible to take the paid holidays throughout the calendar year earned, subject to subd. 3.

3. Such holidays shall be taken at the discretion of the appointing authority who shall respect the wishes of the eligible employees as to the time of taking the holidays under this paragraph insofar as the needs of the service will permit.

4. Personal holidays earned each year shall be noncumulative. However, if an appointing authority denies an employee the opportunity to take a personal holiday during the calendar year earned, the employee shall be permitted to carry over such day to the next year. In no event may such denial and carryover occur in subsequent successive years.

SECTION 19. 20.865 (1) (c) (intro.) of the statutes, as affected by chapter ... (Senate Bill 77), laws of 1977, is amended to read:

20.865 (1) (c) *Pay plan adjustments.* (intro.) A sum sufficient to pay the cost of pay adjustments approved by the joint committee on employment relations under s. 16.086 and by the legislature, when required, for employees of the classified service and comparable adjustments for those employees in the unclassified service, except those included under ss. 16.08 (2) (d) and (f) and 20.923 (5) and (6) (c) and (m) as determined and allocated pursuant to under subds. 1 and 2, ~~and to pay the cost of any pay adjustments made under s. 16.085.~~ Unclassified employees included under s. 20.923 (2) need not be paid comparable adjustments.

SECTION 20. 20.923 (1) of the statutes, as affected by chapter ... (Senate Bill 77), laws of 1977, is amended to read:

20.923 (1) ESTABLISHMENT OF EXECUTIVE SALARY GROUPS. To this end, a compensation plan consisting of 10 executive salary groups is established in schedule one of the state compensation plan for the classified service from ranges ~~10~~ 18 through

~~19~~ 27. No salary range established above salary range ~~45~~ 23 may be utilized in the establishment and compensation of positions in the classified service without specific approval of the joint committee on employment relations. The dollar value of the salary range minimum and maximum for each executive salary group shall be reviewed and established in the same manner as that provided for positions in the classified service under s. 16.086 (3), except that adjustments of salaries under sub. (2) shall in addition be prepared in bill form by the joint committee on employment relations and submitted to a vote of the full legislature and shall not take effect until the bill is enacted without change. If such bill is not enacted without change, no adjustment may take effect unless the joint committee on employment relations submits a subsequent bill and such bill is enacted without change. Such bill shall be put on the calendar and shall not be subject to ss. 13.10 (1), 13.50 (6) (a) and (b) and 16.47 (2). The salary-setting authority of individual boards, commissions, elective and appointive officials elsewhere provided by law is subject to and limited by this section, and the salary rate for these positions upon appointment and subsequent thereto shall be set by the appointing authority pursuant to this section, unless the position is subject to article IV, section 26 of the state constitution.

SECTION 21. 40.16 (2m) of the statutes is created to read:

40.16 (2m) Notwithstanding sub. (2), effective on July 1, 1977, the state shall contribute an amount equal to 90% or the following applicable dollar amounts, whichever is greater, toward the health insurance premium for each insured employee:

- (a) \$84.10 per month for family coverage.
- (b) \$34.02 per month for single coverage.
- (c) \$41.02 per month for family coverage where two participants are eligible for federal medicare.
- (d) \$54.62 per month for family coverage where there is one participant eligible for federal medicare.
- (e) \$20.60 per month for individual coverage when the subscriber is eligible for federal medicare.

SECTION 22. 165.055 (3) of the statutes, as affected by chapter ... (Senate Bill 77), laws of 1977, is amended to read:

165.055 (3) The attorney general may appoint in the unclassified service a director of research and information services, whose salary shall not exceed the maximum of range ~~7~~ 13 in pay schedule 1 of the classified service.

SECTION 23. **Personal holidays.** Notwithstanding section 16.30 (4) (d) of the statutes as affected by this act, the maximum number of personal holidays granted or earned by any state employee in calendar year 1977 under section 16.30 (4) (d) of the statutes shall be 3.

SECTION 24. **Application.** (1) This act shall take effect on the day after publication, except as provided in subsection (2).

(2) The changes in the vacation schedule provisions in section 16.30 (1m) (a) of the statutes, as affected by this act, shall take effect on January 1, 1978.
