

2. Employees on probation shall be paid not less than the pay range minimum for the class.

3. Employees in trainee status shall be paid not less than the minimum for the training program.

4. Employees who are involuntarily transferred for reasons other than disciplinary reasons shall retain their present rate of pay. If the present rate of pay exceeds the new pay range maximum, it shall be red circled and continued under the provisions of s. ER-Pers 29.025.

(b) Employees whose pay has been red circled and who voluntarily transfer to a different position shall lose their red circle rate.

(6) PAY ON REINSTATEMENT. (a) For the purposes of this subsection, "last rate received" refers to the highest rate received in the classified civil service position from which reinstatement eligibility is derived or the highest rate received within the last 3 years in a position in which the employe had attained permanent status in class, whichever is greater.

(b) 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, 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:

1. Employees placed on probation when reinstated shall be paid not less than the minimum of the pay range to which the class is assigned.

2. Employees not placed on probation when reinstated shall be paid not less than the PSICM of the pay range to which the class is assigned.

(7) PAY ON RESTORATION. (a) When an employe is restored following military service, pursuant to s. 230.32, Stats., or following a leave to serve in the unclassified service, pursuant to s. 230.33, Stats., the employe shall, subject to the maximum of the pay range or rate to which the class is assigned, be paid the last rate received plus intervening across-the-board general pay adjustments for the pay range to which the class is assigned, other intervening within range pay adjustments and, in pay schedules where applicable, shall also be eligible to receive an equity award. The adjustment applied to the employe's last rate shall be that of the appropriate pay schedule for the class from which restoration rights are derived.

(b) When an employe is restored following a layoff pursuant to s. 230.34 (2), Stats., the employe's rate of pay shall be calculated in accordance with par. (a). If the employe is restored to a counterpart or lower classification than that from which restoration rights were earned and the employe's last rate received is higher than the pay range maximum for that class, the employe's pay rate shall be red circled if the employe is restored to the highest level vacancy for which he or she is qualified within the employing unit or agency. If the employe's pay is red circled, the employe shall be granted only the intervening across-the-board general pay adjustments.

(c) When an employe is restored upon return from a summer leave or an approved leave of absence without pay, the employe's rate of pay shall be calculated in accordance with par. (a). If the employe is restored to the same or counterpart class as that from which restoration rights were earned and the employe's last rate received is higher than the pay range maximum for the class restored to, the employe's pay rate shall be red circled and subject to s. ER-Pers. 29.025.

(d) When an employe is restored as a result of the non-completion of a promotional probationary period within an agency under s. ER-Pers 14.03 (1), the employe's rate of pay shall be determined in accordance with sub. (6).

(e) When an employe is restored in accordance with an order of the personnel commission or a court action, the employe's rate of pay shall be as ordered by the commission or court.

(8) PAY ON DEMOTION. (a) An employe demoted for disciplinary purposes may be paid at any rate within the new pay range which is not greater than the last rate received and not less than PSICM.

(b) An employe who voluntarily demotes may be paid at any rate within the new pay range which is not greater than the last rate received and not less than:

1. PSICM, if the employe is not serving a probationary period.
2. The pay range minimum, if the employe is serving a probationary period.
3. The trainee program minimum, if the employe was demoted to a trainee class.

(c) Employes who are demoted by an appointing authority in lieu of being laid off shall retain their present rate of pay. If the pay rate is above the maximum for the new class, it shall be red circled.

History: Cr. Register, February, 1981, No. 302, eff. 3-1-81; am. (3) (c), (4) (c), (5) (a)4, and (b) and (7) (c), Register, February, 1983, No. 326, eff. 3-1-83; am. (6) (b) (intro.), Register, October, 1984, No. 346, eff. 11-1-84.

ER-Pers 29.04 Multiple pay adjustments on same date, order of application. (1) Completion of the first 6 months of a probationary of career executive trial period.

- (2) Regrading an employe as a result of a reallocation decision.
- (3) Regrading an employe as a result of a reclassification decision.
- (4) Assignment of an attorney to a regrade point.
- (5) Promotion.
- (6) Career executive reassignment or voluntary movement to a higher class.
- (7) Demotion.
- (8) Career executive reassignment or voluntary movement to a lower class.
- (9) Transfer.

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(10) Career executive reassignment or voluntary movement to a class assignment to the same pay range.

(11) Reinstatement.

(12) Restoration.

(13) Across-the-board or general salary scheduled adjustments pursuant to s. 230.12 (3) or 111.92, Stats.

(14) Compensation plan schedule adjustments under s. 230.12, Stats.

(15) Establishment of a raised minimum rate.

(16) Within range pay adjustments other than those made under subs. (1) to (12) and (15).

(17) Original appointment.

History: Cr. Register, February, 1981, No. 302, eff. 3-1-81; r. and recr. (1) to (3), renum. (4) to (7) to be (5), (13), (14) and (16) and am. (5) and (16), cr. (4), (6) to (12), (15) and (17), Register, February, 1983, No. 326, eff. 3-1-83.

ER-Pers 29.05 Retroactive salary increase or decrease. Except for action in accordance with ss. 230.43 (4), 230.44 (4) (c) and 230.45, Stats., or to correct an error, no pay increases or decreases shall be retroactive.

History: Cr. Register, February, 1981, No. 302, eff. 3-1-81.