

State of Wisconsin

## DEPARTMENT OF EMPLOYMENT RELATIONS

- COMPENSATION & LABOR RELATIONS BULLETIN -

- DIVISION OF MERIT RECRUITMENT AND SELECTION BULLETIN -

**Date:** September 1, 1999

**Subject:** Announcing Pay Rates in the  
Absence of a Budget

**Locator No.:** CLR/PP-164/MRS-200

The purpose of this bulletin is to provide guidance to agencies on pay rates that can be announced, paid, and earned while a budget bill is awaiting final approval (nonrepresented classifications) and while bargaining is underway (represented classifications).

In accordance with s. 20.928(3), Wis. Stats., compensation adjustments for state employees may not be made prior to the enactment of the biennial budget bill. In addition, Department of Employment Relations (DER) policy is to use the previous fiscal year's budget authority to "continue business" until a new budget is enacted.

Consequently, for FY 1999-2000, nonrepresented employees will continue to be paid and recruited at the rates in effect immediately before July 4, 1999, until the budget enactment takes place. Since the Compensation Plan has received approval by the Joint Committee on Employment Relations (JCOER), DER is receptive in special circumstances to considering exceptions to this policy. When DER approves an exception to this policy, announcing and recruiting using the new pay rates will be allowed assuming that proper public notice is given with respect to pay rates received and earned and appointment letters are accurate. However, as the following example illustrates, DER believes that in most cases the flexibility of other recruitment tools can overcome the problems created by budget delays.

***NOTE:** If you believe special circumstances apply to a specific recruitment, contact the appropriate DMRS Team responsible for the transaction to seek approval and assistance in developing the notice.*

### EXAMPLE:

An agency is recruiting an Attorney 13-Supervisor using the pay on appointment flexibility of the Schedule 71 broadband, newly created as part of the FY 1999-2000 Compensation Plan, with an effective date of July 4, 1999. By requesting authority to use hiring above the minimum (HAM) up to an amount equivalent to the appointment maximum listed in Schedule 71, the recruitment can be announced using a range from

the “old” Schedule 49 minimum (from the FY 1997-1999 Compensation Plan) to the “new” Schedule 71 appointment maximum (from the FY 1999-2001 Compensation Plan). Although current employees are not eligible for HAM, they can be **granted** an amount no greater than the appointment maximum because Schedule 71 has been approved by JCOER. However, they must be **paid** according to rates and rules effective immediately prior to July 4, 1999 until the FY 1999-2000 budget is enacted. Individuals new to state service would be paid the appropriate HAM rate immediately upon appointment.

Compensation for represented employees continues under provisions of the last contract until such time as a new one can be negotiated. Consequently, the pay provisions of the “old” collective bargaining agreements are still controlling in recruitment materials and appointment letters until such time as the new agreements are negotiated and approved. Once a collective bargaining agreement has been approved by JCOER, DER will consider announcement of the new pay provisions before the effective date of those provisions. These requests for “exceptions” will be evaluated on a case-by-case basis. (*HAM may be specifically prohibited in some agreements, and therefore, the flexibility illustrated in the example above may not be available.*)

Please direct any questions you may have on the Compensation Plan to Paul Ostrowski, Compensation Analyst, at (608) 267-0343 or e-mail at [Paul.Ostrowski@der.state.wi.us](mailto:Paul.Ostrowski@der.state.wi.us) or FAX at (608) 267-1020.

Please direct any questions you may have on collective bargaining agreements to Allen Cottrell, Director, Bureau of Labor Relations, at (608) 267-7240 or e-mail at [Allen.Cottrell@der.state.wi.us](mailto:Allen.Cottrell@der.state.wi.us) or FAX at (608) 267-1020.

Please direct any policy questions you may have on pay in recruitment and appointment to Denny Huett, DMRS Policy Advisor, at (608) 266-7296 or e-mail at [Denny.Huett@der.state.wi.us](mailto:Denny.Huett@der.state.wi.us) or FAX at (608) 267-1000.

Please direct any questions on specific recruitment and announcement activities to the DMRS Team responsible for the transaction.

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