

State of Wisconsin

DEPARTMENT OF EMPLOYMENT RELATIONS

- COMPENSATION & LABOR RELATIONS BULLETIN -

- DIVISION OF MERIT RECRUITMENT AND SELECTION BULLETIN -

Date: July 16, 2001

Locator No.: CLR/PP-212/MRS-218

Subject: Announcing Pay Rates in the
Absence of a Budget

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 2001-2002, nonrepresented employees will continue to be paid and recruited at the rates in effect immediately before July 1, 2001, 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.

Since all nonrepresented positions, except craftworker related, are in broadbands, the pay on appointment flexibility will minimize problems that could occur. For example, if an agency decides to start a new employee at the minimum, it can avoid back pay once the budget is signed by using the pay on appointment flexibility of broadbanding. The individual can be hired at the new minimum that otherwise cannot be used until the budget is signed. However, if an agency wants to use the new appointment maximum that will be in effect once the budget is signed, it will have to request a temporary appointment maximum (TAM).

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.)*

***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.*

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 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, e-mail at 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, e-mail at 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.

James P. Pankratz, Administrator
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