

State of Wisconsin

OFFICE OF STATE EMPLOYMENT RELATIONS

- COMPENSATION & LABOR RELATIONS - MERIT RECRUITMENT & SELECTION BULLETIN -

Date: February 05, 2014

Locator No: OSER-0357-CLR-MRS

Subject: Compensation Issues Related to Enactment
of 2013 Wisconsin Act 123

The purpose of this bulletin is to inform appointing authorities of the compensation issues related to [2013 Wisconsin Act 123](#), effective January 25, 2014. This Act is the result of a companion bill to the [2013-2015 Compensation Plan](#) that was recommended to the Joint Committee on Employment Relations at a June 26, 2013 meeting.

SECTION I. USE OF ANNUAL LEAVE DURING FIRST 6 MONTHS OF CLASSIFIED SERVICE

Section 230.35(1)(b), Wis. Stats., was revised to allow former unclassified employees to use annual leave accrued during the unclassified service during the first 6 months of a probationary period for an original appointment in the classified service. This statutory revision applies until s. ER 18.02(3)(b), Wis. Admin. Code, can also be revised to reflect it.

SECTION II. LEAVE PROVISIONS COVERED IN THE COMPENSATION PLAN

Many of the revisions to the statutes were made only to acknowledge provisions that may already be included in the Compensation Plan but are different than what is provided in the statute. Section 230.35, Wis. Stats., now refers the reader to possible exceptions in the Compensation Plan regarding annual leave, adjusted continuous service for certain reemployed executives, personal and legal holidays, and compensatory time off for working legal holidays. These exceptions can be found in [Section K](#) of the Compensation Plan.

Section 230.35(3)(am), Wis. Stats., was created to reflect language in [Section K, 6.00](#) of the Compensation Plan, regarding benefits earned while on military leave.

Section 230.35(4)(d)1., Wis. Stats., was revised to reflect language in [Section K, 4.01](#) of the Compensation Plan, regarding the proration of personal holidays for individuals who leave state service during the first 6 months of an original probation.

SECTION III. OTHER PROVISIONS

Section 230.26(1m), Wis. Stats., was recreated to allow appointment of a nonresident limited term employee (LTE) only when approved by the DMRS Administrator, as is also provided in [Section D, 5.00](#) of the Compensation Plan.

Section 230.28(4), Wis. Stats., was revised to allow changes to the Administrative Code regarding first-time supervisory probation, as is already provided in [Section G, 12.00](#) of the Compensation Plan.

Sections 230.34(1)(a), 230.34(1)(ar), and 230.44(1)(c), Wis. Stats., were revised to provide Assistant State Public Defender Attorneys the same just cause protections and appeal rights provided to Assistant District Attorneys.

SECTION IV. REFERRAL OF QUESTIONS

Employee Questions:

Employees with questions regarding the contents of this bulletin should contact their agency Human Resources or Payroll Office directly.

Employer Questions:

Employer questions regarding the contents of this bulletin should be directed to Paul Ostrowski by phone at (608) 267-0343 or by e-mail at paul.ostrowski@wisconsin.gov.

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