

State of Wisconsin

DOA – DIVISION OF PERSONNEL MANAGEMENT

– CLASSIFICATION AND COMPENSATION BULLETIN –

Date: July 19, 2023

Locator No: DPM-0600-CC/PP

Subject: Information for Processing FY 2022-2023
Base Wage Adjustments for Employees in
the Legal Bargaining Unit (Unit 09)

This information is provided to assist appointing authorities in determining 2022-2023 fiscal year base wage adjustments for employees in the legal bargaining unit (bargaining unit 09), covering certain permanent classified attorneys. The wage increases are granted in accordance with the collective bargaining agreement between the State of Wisconsin and the Wisconsin State Attorneys Association (WSAA).

SECTION I. ORDER OF PAY ADJUSTMENTS WITH THE SAME EFFECTIVE DATE

Pursuant to ER 29.04, Wis. Adm. Code, and the 2021-2023 Compensation Plan, multiple pay adjustments that are effective on the same date will be applied in the following order:

Use the FY 2022-2023 pay schedule effective January 1, 2023, found in Section Z of the Compensation Plan for all adjustments effective on July 30, 2023, the implementation date of the general wage adjustment.

1. Reallocation/regrade adjustment
2. Reclassification/regrade adjustment
3. Progression adjustment provided under Section A, 2.03 of the Compensation Plan
4. Promotion, except when considered a return to previous level.
5. Career executive voluntary movement to a higher class
6. Demotion
7. Career executive reassignment or voluntary movement to a lower class
8. Transfer
9. Career executive reassignment or voluntary movement to a position allocated to a classification in the same pay range
10. Reinstatement and return to previous level
11. Restoration
12. Compensation plan adjustments pursuant to s.230.12 (3), Wis. Stats., including but not limited to within range pay adjustments other than those made under (1) through (11), and (14) through (17) of 4.01 of Section I
- 13. Negotiated General Wage Adjustment for the 2022-2023 Fiscal Year**
14. Compensation Plan schedule adjustments under s. 230.12 Wis. Stats.
15. Progression adjustments other than those provided for in (3) above
16. Establishment of a raised minimum rate (RMR)
17. Discretionary Equity or Retention Adjustment (DERA)
18. Discretionary Merit Compensation (DMC)
19. Original appointment

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SECTION II. GENERAL WAGE ADJUSTMENT (GWA)

A. Effective Date. The GWA is effective July 30, 2023.

B. Ineligible. The following employees are not eligible for the GWA or the Annualized GWA Payment:

1. Any employee with an original appointment in state service on or after January 1, 2023;
2. Any employee who has previously been considered for or received a GWA or a corresponding fiscal year lump sum payment provided under the Compensation Plan or another collective bargaining agreement for fiscal year 2022-2023;
3. Any employee in the classification of Assistant Attorney General.
4. Any employee who received an attorney progression award effective on or after July 29, 2022.
5. Former employees no longer in employment status in a bargaining unit position on July 30, 2023.

C. Amount.

1. Each eligible Attorney in pay status with a permanent appointment in a bargaining unit position will receive a GWA of 4.7% of their base pay rate, subject to the pay range maximum. Any Attorney who is not eligible to receive the GWA, or who receives a GWA of less than 4.7% due solely to the pay range maximum limitation will be eligible to receive an Annualized GWA Payment as provided in Section III.
2. Each eligible Attorney in pay status who did not receive a GWA on January 1, 2023, but who did receive a structure pay adjustment on January 1, 2023, of less than 4.7% of their base pay rate, shall receive a GWA equal to the difference between 4.7% of the employee's base pay rate immediately prior to the receipt of the structure adjustment, and the structure adjustment value already received.

SECTION III. ANNUALIZED GWA PAYMENTS RELATED TO THE GWA

A. Granting Date. Annualized GWA Payments will be granted as soon as administratively feasible after July 30, 2023.

B. Eligibility. An employee who is otherwise eligible for a GWA under Section II, above, will receive an Annualized GWA Payment if either of the circumstances described under 1. or 2., below, apply:

1. The employee could not receive a GWA under Section II, above, due solely to the applicable pay range maximum limitation (i.e., the employee's base pay rate was at or above the pay range maximum).
2. The employee received a GWA less than the full amount for which the employee would have been eligible due solely to the pay range maximum limitation.

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- C. Amount.** The amount of an Annualized GWA Payment is calculated by multiplying by 2,080 hours the value of the GWA provided under Section II, above, that would exceed the applicable pay range maximum. Any Annualized GWA Payment will be prorated based on an employee's budgeted FTE status on July 30, 2023.
- D. Employees on Leave of Absence.** Any employee who is on an unpaid leave of absence on July 30, 2023, and would otherwise qualify for an Annualized GWA Payment, will not receive such payment until the employee returns to pay status in a position in the bargaining unit without separation from state service.

SECTION IV. LUMP SUM PAYMENT FOR THE DELAY IN IMPLEMENTATION OF THE AGREEMENT

- A. Granting Date.** The lump sum payments provided under C., below, will be provided as soon after the effective date of the collective bargaining agreement as administratively feasible.
- B. Eligibility.**
 - 1. Eligible.** The following employees will be eligible to receive a lump sum payment for the delay in implementation of the 2022-2023 Agreement:
 - a. Attorneys who were at all times in the bargaining unit between January 1, 2023 and July 30, 2023.
 - b. Attorneys who were laid off from the bargaining unit or returned from layoff to the bargaining unit after January 1, 2023, and before July 30, 2023.
 - c. Attorneys hired into the bargaining unit from another certified state bargaining unit on or after January 1, 2023, and prior to the effective date of the corresponding fiscal year 2022-2023 general wage adjustment or attorney merit progression award in the employee's former bargaining unit.
 - d. Attorneys in the bargaining unit who are on or returned from a leave of absence between January 1, 2023, and July 30, 2023. Attorneys who went on a leave of absence from a position in the bargaining unit on or after January 1, 2023, and have not returned to pay status will receive no payment until they return to pay status in the bargaining unit without separation from state service.
 - 2. Ineligible.**
 - a. Any employee with an original permanent appointment on or after January 1, 2023.
 - b. Any employee who has previous state employment as a permanent classified or unclassified employee, either represented or nonrepresented, and was considered for or received a FY 2022-23 GWA prior to his or her appointment to a position in the classified legal bargaining unit.
 - c. Any employee who is on a leave of absence on July 30, 2023, and who fails to return from such leave.
 - d. Any employee classified as Assistant Attorney General.
 - e. Any employee who received an attorney progression award effective on or after July 29, 2022.
- C. Amount.** Eligible employees will receive a lump sum payment equal to the sum of the following:

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1. The hourly amount received as a base pay increase under Section II, above, multiplied by the number of hours in pay status in a bargaining unit position from January 1, 2023, through July 29, 2023.
2. The lump sum wage payment shall also reflect an increase in the premium rate portion of overtime wages earned during the period stated in 1., above.

D. Determining the “Hours in Pay Status.”

1. “Hours in pay status” include the number of hours worked for cash payment plus the number of hours of paid leave time/compensatory time credits that were used during the applicable period stated in C., above.
2. Hours excluded from hours in pay status:
 - a. Hours as an LTE or project/project employee.
 - b. Work hours for which holiday or compensatory time-off credits were earned but not used.
 - c. Any leave without pay hours.
3. For purposes of calculating employee benefits, any lump sum wage payment received under this section for the delay in implementation of the Agreement shall be considered as salary or wages earned during the applicable period from January 1, 2023, through July 29, 2023.

SECTION V. REFERRAL OF QUESTIONS

Employee Questions: Employees with questions regarding their pay rates or pay adjustments indicated in this bulletin should contact their agency Human Resources or Payroll Office directly.

Employer Questions: Employer questions regarding the *pay provisions* contained in this bulletin should be directed to:

John Wiesman at John.Wiesman@Wisconsin.gov or by phone/TEAMS at (608) 266-1418, or the Bureau of Classification and Compensation mailbox at DOADPMCompEmploymentRelGenI@wisconsin.gov.

Employer questions regarding *payroll processing* should be directed to DOA Central Payroll:

DOA Central Payroll:

Dennis Dissmore at (608) 266-8431

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Jen Flugel, Administrator