State of Wisconsin

DEPARTMENT OF EMPLOYMENT RELATIONS BULLETIN

Date: May 2, 1994

Number: CC/POL-9/CB-82/ DMRS-154

(POLICY)

Subject: Implementation of New Annual Leave, Overtime, and Miscellaneous Provisions for Employes in the WI Building Trades Bargaining Unit as a Result of the 1993-95 Collective Bargaining Agreement; Effect on Personnel Transaction Determination, and Craftworker Supervisor Add-On Pay

INTRODUCTION

The purpose of this bulletin is to inform agencies of the new annual leave provisions and overtime provisions which were agreed to during the recent contract negotiations between the State of Wisconsin and the Wisconsin State Building Trades Negotiating Committee and to provide guidance on several related items.

EFFECTIVE DATE

The 1993-95 collective bargaining agreement between the State of Wisconsin and the Wisconsin State Building Trades Negotiating Committee is effective April 16, 1994. Agencies employing building trades crafts employes have, or will be receiving, a new book of area prevailing rates. Due to changes made in the annual leave provisions for building trades crafts employes, there will be two adjusted state rates included for each craft and area.

.NNUAL LEAVE OPTIONS

Building trades crafts employes (DP Unit Code 04) with less than 20 full years of service on the effective date of the Agreement, will have the option of selecting 80 hours of annual leave or 120 hours of annual leave each year. Building trades crafts employes with 20 or more full years of service on the effective date, will have the option of selecting either 96 hours of annual leave or 136 hours of annual leave per year.

1. **Effect on State Adjusted Prevailing Rate**

   Employes selecting either the 80 hour or 96 hour annual leave provision will receive an adjusted state rate of 81.7% of the area gross rate. Employes selecting the optional additional week of annual leave, i.e., 120 hour or 136 hour, will receive an adjusted state rate of 80.5% of the area gross rate. Both of these pay rates will be reflected in notices sent to affected agencies when there is a change made to the gross area pay rate for building trades crafts employes. (Attached is a sample of the prevailing rate change notification.)

   The majority of building trades crafts employes receive adjustments between May and August of the calendar year and new adjusted prevailing rate information is sent to affected agencies at that time. When an employe changes his/her annual leave selection on January 1, this will require the employing agency to change the employe's pay rate without receiving notification of a new rate from the Department of Employment Relations.

2. **Effect on Craftworker Supervisor Add-On Pay**

   The above annual leave provision will not affect the Craftworker Supervisor add-on. On March 23, 1994, the Joint Committee on Employment Relations (JCOER) approved an amendment to the 1993-95 Compensation Plan. The amendment provides that supervisors will continue to earn $.50 per hour more than the 81.7% adjusted state

rate for the highest craft supervised, regardless of whether or not the subordinate selects the optional week of annual leave, or $.50 more than the adjusted state rate for the craft in which they have journeyman status, whichever is greater.

3. **Implementation of Annual Leave Provisions for the Remainder of Calendar Year 1994**

Agencies employing represented craft employes must notify employes of the annual leave options that are now available to them. Employes selecting the additional 40 hours for the remainder of calendar year 1994 will have the additional 40 hours prorated from April 16, 1994, the effective date of the new agreement, through December 31, 1994. Pursuant to the 1993-95 collective bargaining agreement, employes are required to make this initial decision by the end of the second full pay period following the effective date of the Agreement, May 14, 1994. If employes do not return the selection form by that date, the annual leave level will remain at either the 80 hour or 96 hour rate, and they will receive the adjusted state rate of 81.7% of the gross area rate. The employe's annual leave choice will remain in effect for the remainder of calendar year 1994.

There is no provision for a cash out option and there is no effect on the current carry-over or leave without pay provisions.

4. **Annual Leave Employe Selection Procedures**

The following items relate to administration of the annual leave earnings level provision after the initial implementation choice is made by current employes for the remainder of calendar year 1994 or upon initial employment in a represented crafts position.

a. Current Employes

Toward the end of each calendar year, each agency will notify its represented building trades crafts employes of the annual leave options available to them for the upcoming calendar year. This notice will give the employes a deadline for making a selection. The selection and the response form must be returned by a date determined by the respective payroll processing center in order to meet leave accounting deadlines, but prior to January 1 of the upcoming year. The choice will remain in effect for the entire calendar year.

If no selection form is returned by that date, the employe will receive the same annual leave provisions as the previous year, with the exception of employes attaining 20 full years of service in the upcoming year. These employes will automatically receive the additional 2 days, or prorated portion, as in the past.

b. Employes Beginning Employment During the Calendar Year

Building trades crafts employes who begin employment during the calendar year will have the vacation options explained to them and the impact on the adjusted state rate they will receive. The employe will then be given a deadline determined by the employing agency for making the initial decision of the annual leave earnings level decision, i.e., 80 hours or 120 hours. The employe's selection will then be prorated for the remainder of the calendar year.

5. **Effect on Personnel Transactions**

For purposes of determining personnel transactions involving crafts positions, the adjusted state prevailing rate for the standard annual leave earnings level should be used, regardless of the annual leave earnings level chosen by the employe undertaking the transaction.

NOTE: In accordance with the administrative rules, movement to or from a position allocated to a classification that is under a "pay range" pay system and to or from a building trades position paid according to a "pay rate" pay system, is determined by comparing the maximum of the pay range to which the classification of the non-crafts position is assigned, to the adjusted state prevailing rate for the crafts position. The adjusted state rate excludes any supplementary compensation for lead craftworkers or craftworker supervisors.

If the movement is to a classification with a **higher pay rate or range** (one with a higher pay range maximum) the appointment is normally considered a **promotion**. If the movement is to a classification with a **lower pay rate or range** (one with a lower pay range maximum) the appointment is normally considered a **demotion**. If the movement is to a classification with **the same pay rate or range** (same dollar amounts) the appointment is normally considered a **transfer**.

See bulletins OS-57/CC-341/MRS-136 (June 12, 1992) and OS-48/CC-262/MRS-108 (July 17, 1990) for more information relating to determining personnel transactions.

6. **Reporting Requirements for Annual Leave Selections**

Agencies will be required to record the number of employes who opt for the additional 40 hours of annual leave each year. After each selection period, agencies will be required to report the number of represented building trades craft employes they have and how many selected the optional additional week.

The initial report should be sent to Becky Fawcett, DER, 137 E. Wilson St., Madison, WI 53702, by June 1, 1994. Reporting dates for future years will be established on a yearly basis.

7. **Payroll Processing**

DOA Central Payroll and the UW Processing Center-Payroll Services shall determine how the new annual leave selection procedure shall be administered for affected agencies and campuses.

OVERTIME

Effective April 17, 1994, all time in pay status, excluding the 9-1/2 paid legal holidays, shall be considered time worked for purposes of establishing the forty (40) hour base for overtime premium pay.

EXAMPLES:

1. The employe's regular work schedule is a standard 8 hour day, Monday through Friday. The employe is scheduled for 8 hours of leave on Friday. By the end of the day on Thursday, the employe has worked 38 hours. This, combined with the 8 hours of scheduled leave time, results in 46 hours in pay status for the workweek. Therefore, this employe will receive 6 hours of premium pay.

2. The employe's regular work schedule is a standard 8 hour day, Monday through Friday. Monday is a legal holiday. The employe works 36 hours Tuesday through Friday for a total of 44 hours in pay status. The employe would receive straight time for the 4 additional hours.

Weeks in which a legal holiday occurs will not have the legal holiday hours count towards establishing the 40 hour base.

OTHER MISCELLANEOUS CONTRACT PROVISIONS

Effective April 16, 1994, the following provisions will apply to building trades craft employes:

1. New language provides for Union-Management meetings at facilities employing five (5) or more bargaining unit employes. This was changed from ten (10) employes.

2. The add-on for Lead Craftworkers will increase from $.20 per hour to $.35 per hour.

3. The night differential rate will increase from $.20 per hour to $.30 per hour.

4. Standby pay will increase from $16.00 to $18.00 for each eight hour standby period.

5. New language provides that bargaining unit employes may file "Damaged Clothing" claims, which are in excess of the current Agreement limits, with the State Claims Board (s. 16.007, Wis. Stats.)

6. New language provides for notification and discussion with the union prior to the implementation of contracting or subcontracting work normally performed by employes of the bargaining unit.

REFERRAL OF QUESTIONS

Questions regarding the new annual leave and overtime provisions should be directed to Allen Cottrell of the Division of Collective Bargaining at 608-267-7240.

Questions regarding the new pay rates and craftworker supervisor add-on should be directed to Becky Fawcett of the Division of Classification and Compensation at 608-267-5169.

Questions regarding personnel transactions should be directed to Jesse Garza of the Division of Merit Recruitment and Selection at 608 267-0408.

James A. Pankratz, Administrator
Division of Classification & Compensation

Joseph Pellitteri, Acting Administrator
Division of Collective Bargaining

Robert Lavigna, Administrator
Division of Merit Recruitment & Selection

Attachment

ATTACHMENT

SAMPLE NOTIFICATION OF PREVAILING RATE CHANGE

DATE:

TO:

FROM: Becky Fawcett, Compensation Analyst
Department of Employment Relations

RE: Prevailing Rate Change

TRADE: Carpenter

AREA: 6-Superior **LOCAL UNION NO:** 361

EMPLOYING UNIT(S): UW-Superior

The prevailing rate for the above noted Craft is changed as follows:

GROSS RATE	81.7% 80/96 ANNUAL LEAVE RATE	**80.5% 120/136 ANNUAL LEAVE RATE**	OVERTIME RATE	EFFECTIVE DATE	EXPIRATION DATE
$25.450	$20.793	$20.488	$34.612	00/00/00	00/00/00

If you have any questions or concerns, please call me at (608) 267-5169.