State of Wisconsin

OFFICE OF STATE EMPLOYMENT RELATIONS

- COMPENSATION & LABOR RELATIONS BULLETIN -

Date: October 17, 2006

Locator No: OSER-0146-CLR/LR/PP

Subject: Information on Processing the FY 2003-2005 Wage Adjustments, Corresponding Lump Sum Wage Payments and Annualized Wage Adjustment Payments for the Assistant State Public Defender Attorneys (21)

This information is provided to assist appointing authorities in determining 2003-2005 fiscal biennium general wage adjustments and corresponding lump sum wage payments for employees in the Assistant State Public Defender Attorneys bargaining unit (bargaining unit 21). These adjustments and lump sum payments are granted in accordance with Article V, Sections 2 through 4 of the FY 2003-2005 Agreement between the State of Wisconsin and the Wisconsin State Public Defender Attorneys (WSPDA). All base pay increases must be applied in the order set forth in this bulletin.

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

Pursuant to Article V, Section 1 of the 2003-2005 WSPDA Agreement, multiple pay adjustments with the same effective date will be applied in the order consistent with the order of pay adjustments for analogous personnel transactions in the classified service under § ER 29.04, of the Wis. Adm. Code, and in Section order below for contractual adjustments.

Use the current FY 2003-2005 pay schedule for transaction adjustments 1. through 8. on May 14, 2006. Use the new FY 2004-2005 pay schedule under Section IV. for transaction adjustment 9., effective on May 14, 2006. Adjustments normally occurring after 9. will be made in accordance with the 2005-2007 collective bargaining agreement.

1. Completion of the first 6 months of a probationary/trial period adjustment
2. Reallocation/regrade adjustment
3. Reclassification/regrade adjustment
4. Promotion/upward movement adjustment
5. Demotion/downward movement adjustment
6. Transfer/lateral movement adjustment
7. Reinstatement
8. Restoration
9. **Negotiated Base Pay Adjustments for the 2004-2005 Fiscal Year**
10. Original Appointment

SECTION II. FY 2003-2004 ADJUSTMENTS

There are no pay adjustments for FY 2003-2004.

SECTION III. FY 2004-2005 GENERAL WAGE ADJUSTMENT (GWA)

A. **Effective Date.** The General Wage Adjustment (GWA) is effective May 14, 2006.

B. **Eligibility.**

1. **Eligible.** Except for employees described under 2. below, all employees in pay status on May 14, 2006, are eligible to receive a GWA.

2. **Ineligible.** The following employees are ineligible to receive a GWA:

   Any employee whose pay upon appointment was set in recognition of a previously earned rate that included a GWA provided under another 2003-2005 state employee labor agreement or Compensation Plan with an effective date of July 1, 2003, or later.

C. **Amount.** Each eligible employee will receive a GWA of 1.0% of the employee's base pay rate, plus $0.10 per hour, subject to the FY 2004-2005 pay range maximum provided in Section IV. of this bulletin.

SECTION IV. PAY SCHEDULE IMPLEMENTATION FOR FY 2004-2005 ASSISTANT STATE PUBLIC DEFENDER ATTORNEYS (SCHEDULE 21)

Pay Schedule 21, depicted below, is implemented on May 14, 2006, for FY 2004-2005. Any employee whose base pay rate falls below the pay range minimum will receive an adjustment to the new pay range minimum listed below.

Title	Minimum	Maximum	Transaction Step
Assistant State Public Defender Attorney	$19.905	$51.067	$0.598

SECTION V. LUMP SUM PAYMENT DUE TO THE DELAY IN PROCESSING THE FY 2004-2005 WAGE ADJUSTMENTS

A. **Granting Date.** The lump sum payment provided under C. below will be granted in a separate check as soon as administratively feasible after May 14, 2006.

B. Eligibility. The employees described below are eligible to receive a lump sum payment as described in C. below:

1. Any employee in pay status on May 14, 2006, who receives a FY 2004-2005 base pay adjustment under Section III. above, is eligible to receive a lump sum payment as described in C. below, due to the delay in implementation of the pay adjustments.

2. Employees who were at all times in the bargaining unit from March 5, 2006 through May 13, 2006.

3. New state employees hired into the bargaining unit from March 5, 2006 through May 13, 2006.

4. Former employees of the bargaining unit who retired or died while serving in a bargaining unit position from March 5, 2006 through May 13, 2006.

5. Subject to restrictions under a. and b. below, any employee on an approved leave of absence as of May 14, 2006, is eligible to receive a lump sum payment.

   a. The employee must return from the leave to pay status in a bargaining unit position by June 30, 2007.

   b. The employee will not receive a lump sum payment until the employee has returned from the leave to pay status in a position in the bargaining unit.

> ***NOTE:*** *When an assistant state public defender attorney returns from an approved leave of absence without pay, the assistant district attorney receives a base pay rate equal to the last rate received, plus the intervening negotiated wage adjustments.* ***(Refer to 6/9/5 (3) of the 2003-2005 WSPDA Agreement and § ER 29.03 (7), Wis. Adm. Code.)***

> ***NOTE:*** *Unclassified employees are not eligible for unpaid leaves of absence except for those provided for in the collective bargaining agreement or those required by law (e.g., Family and Medical Leave Act).*

   c. Former employees of the bargaining unit who retired from state service or died from March 5, 2006 through May 13, 2006.

C. Amount.

1. The lump sum payment amount is determined by multiplying the base pay increase received under Section III. by all of the employee's "hours in pay status" in an Assistant State Public Defender Attorney position from March 5, 2006, through May 13, 2006.

2. "Hours in pay status" include all hours worked plus the number of hours of paid leave time/compensatory time (approved professional time off) credits that were used during each of the periods specified in 1. above.

3. Hours excluded from the "hours in pay status" definition are:

    a. Hours in pay status as an employee in a position other than an Assistant State Public Defender Attorney position.

    b. Work hours for which holiday or approved professional time-off credits were earned but not paid.

    c. Any leave without pay hours.

4. An additional amount of $32.66 (not prorated by FTE) shall be added to the lump sum payment determined above.

SECTION VI. ANNUALIZED FY 2004-2005 GENERAL WAGE ADJUSTMENT PAYMENTS

Due to the delayed effective date for the FY 2004-2005 General Wage Adjustments to offset health insurance premiums, there are no Annualized General Wage Adjustment Payments for employees limited by the 2004-2005 pay range maximum.

SECTION VII. REFERRAL OF QUESTIONS

Employee Questions:

Individual employees with questions regarding their pay rates or pay adjustments included 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 referred to the Division of Compensation and Labor Relations, Bureau of Compensation: Dana Denny by phone at (608) 267-0342, or via e-mail at Dana.Denny@Wisconsin.gov.

Employer questions regarding ***all other contract provisions*** should be referred to the Division of Compensation and Labor Relations, Bureau of Labor Relations: Jill Thomas by phone at (608) 266-6435, or via e-mail at barbarajill.Thomas@Wisconsin.gov.

Employer questions concerning payroll processing or file maintenance procedures should be referred to:

DOA Central Payroll: **Shelley Schwartz (608) 264-9571.**

James A. Pankratz, Administrator
Division of Compensation and Labor Relations

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