

## **SECTION E - PAY ADMINISTRATION FOR CLASSIFIED PERMANENT AND PROJECT EMPLOYEES IN NON-BROADBAND PAY SCHEDULES**

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## **INTRODUCTION**

The provisions of this Section (Section E) apply to all classified project employees and permanent employees whose positions are **not** allocated to classifications assigned to broadband pay schedules, except public safety collective bargaining provisions, if applicable.

## Section E – Introduction

Pay administration provisions for permanent and project employees whose positions are allocated to classifications assigned to broadband pay schedules are contained in Section I of this Plan. Provisions for determining beginning base pay rates for non-broadbanded unclassified employees and limited term employees (LTEs) are contained in Sections B and D, respectively. The beginning rate provisions in Sections B and D apply only to employees covered by those respective Sections and have been included with other compensation provisions that are unique to unclassified employees and LTEs.

**NOTE:** The provisions in this Section (Section E) supersede ch. ER 29, Wis. Adm. Code, for all project appointments in non-broadband pay schedules.

### **1.00 Beginning Pay Upon Original Appointment For Permanent Classified Employees in Non-Broadband Pay Schedules**

Upon original appointment as a permanent employee in the classified service beginning base pay rates shall be determined as follows:

#### **1.01 General**

The starting base pay rate upon original appointment shall be the minimum of the pay range for the classification except as otherwise provided in this Section (Section E) or other sections of this Plan.

**NOTE:** For provisions governing the pay upon original appointment for permanent employees in positions allocated to classifications assigned to the broadband pay schedules, refer to Section I, 4.04 of this Plan.

#### **1.02 Raised Minimum Rate (RMR)**

- (1) When competitive labor market conditions have been evaluated and the minimum rate is determined to be below the market rate for a classification or subtitle for a classification, or when a classification or subtitle for a classification has unique requirements and it is unlikely that quality applicants would be available under such conditions, the OSER Director, at the request of the appointing authority, may establish a raised minimum rate above the pay range minimum for recruiting, hiring and retaining employees. Such rates may be established on a geographic basis.
- (2) The raised minimum rate shall be the lowest rate payable to any permanent or project employee whose position is assigned to the classification or classification and subtitle in the geographic area where the raised hiring minimum is in effect.

**NOTE:** Refer to Chapter 560 of the Wisconsin Human Resources Handbook entitled "Raised Minimum Rates" for additional information.

### 1.03 Hiring Above the Minimum (HAM)

- (1) The OSER Director may authorize HAM for permanent and project employees whose positions are allocated to classifications assigned to non-broadband pay schedules when either:
  - (a) The duties and responsibilities of a position require the employment of a person with qualifications that differ significantly from those normally required for other positions in the same classification, and the persons who possess such qualifications are not readily available in the labor market at the minimum rate in the pay range; or
  - (b) A recruitment effort has failed to produce or would likely not produce a full certification of candidates.
- (2) HAM must be authorized prior to formal recruitment and the increased pay potential must be included in all recruitment information where pay is stated.
- (3) Only those candidates who possess qualifications which significantly exceed the requirements for the classification or subtitle or who possess qualifications which differ significantly from those normally required for other positions in the same classification may be hired above the minimum of the pay range.
- (4) Project positions allocated to represented classifications may be filled using HAM even though use of HAM would not be allowed if the position were permanent.

**NOTE:** Refer to Chapter 508 of the Wisconsin Human Resources Handbook entitled "Hiring Above the Minimum" for additional information.

### 1.04 Trainee Minimum Rate

- (1) The minimum starting pay rate for trainees will be established at one within-range pay step below the minimum of the pay range for the objective classification for each six (6) months of formal and/or "on-the-job" training required to reach the objective classification. If the OSER Director, at the request of the appointing authority, reviews the qualifications of the person to be appointed and determines that the qualifications are equivalent to specific segments of the training program, such segments may be waived and considered as completed. The rate payable on appointment may then exceed the minimum rate established for the training program and shall be based on the length of time required to complete the remaining segments of the training program.

- (2) Incremental pay increases up to the pay range minimum of the objective classification shall be provided for successful completion of each segment of training as provided in the training plan for each trainee position.
- (3) Scheduled trainee pay increases shall be increased by the same percent, and at the same time as the adjustment to the pay range minimum.
- (4) In pay schedules where no within-range pay step is defined, the step used for trainee pay purposes shall be three percent (3.0%) of the minimum for the objective classification for which the employee is being trained.

## **2.00 Beginning Pay Rates for Project Appointees in Non-Broadband Pay Schedules**

### **2.01 Project Appointees Who Are Former Permanent Classified or Unclassified Employees**

- (1) Subject to the maximum of the new pay range, project appointees who have previously been permanent classified employees, and who could have been appointed to a permanent position without an interruption of continuous service under s. ER 18.02(2), Wis. Adm. Code, may be appointed to a project position assigned to a higher classification than their previous permanent classified position, and may be paid at up to their previous rate of pay if higher than the pay range minimum of the classification for the project appointment.
- (2) Project appointees who have previously been permanent classified employees, and who could have been appointed to a permanent position without an interruption of continuous service under ER 18.02(2), Wis. Adm. Code, may be appointed to a project position assigned to the same, a counterpart, or a lower classification than their previous permanent classified position, and may be paid at a rate of pay determined in accordance with the provisions regarding pay on reinstatement as contained in this Section (Section E).
- (3) Subject to the maximum of the new pay range, project appointees who are appointed directly from a permanent classified or unclassified position without an interruption in employment status, or who receive a classified leave of absence for the project position, may be paid at up to their previous rate of pay if higher than the pay range minimum of the classification for the project position.

**NOTE:** Refer to Chapter ER 34 of the Wisconsin Administrative Code for additional employment information regarding project employees.

## **2.02 Other Project Appointees**

- (1) Except as provided in 2.01, beginning base pay rates shall be determined in accordance with 1.00 above.
- (2) On subsequent project appointment to a different position, the pay rate attained as a result of a project appointment shall not serve as the basis for the establishment of subsequent pay rates on appointment to any other position. However, experience acquired may be relevant for subsequent appointments made in accordance with HAM provisions of 1.03 above.

**NOTE:** Refer to Section A, 4.20, of this Plan for the provisions regarding supplemental pay and overtime provisions for project employees.

## **3.00 Other Transaction Pay Adjustments for Project Employees in Non-Broadband Pay Schedules**

### **3.01 Pay on Completion of the First Six Months of a Project Appointment**

No six month increase will be granted to any project employee upon completion of the first six months of a project appointment.

### **3.02 Multiple Pay Adjustments on Same Date (Order of Application)**

Multiple pay adjustments that are effective on the same date will be applied in the order given in Section I, 4.01 of this Plan.

### **3.03 Pay on Regrade for Reclassification or Reallocation to a Classification in a Higher Pay Range.**

Pay on regrade for reclassification or reallocation to a classification in a higher pay range for project appointees will be in accordance with Section I, 4.09 of this Plan.

### **3.04 Pay on Regrade for Reclassification or Reallocation to a Classification in the Same or Counterpart Pay Range.**

Project employees shall receive no pay adjustment for reclassification or reallocation to a classification in the same or counterpart pay range.

**3.05 Pay on Regrade for Reclassification or Reallocation to a Classification in a Lower Pay Range.**

Pay on regrade for reclassification or reallocation to a classification in a lower pay range for project appointees will be in accordance with Section I, 4.11(1) of this Plan.

**4.00 Other Transaction Pay Adjustments for Permanent Employees in Non-Broadband Pay Ranges**

**4.01 Schedule 07, 11, 14 and 15 Pay Adjustments**

**NOTE:** Some Schedule 07 and Schedule 15 pay ranges are broadband pay ranges, and the provisions in this Section do not apply to them. See Section I for pay administration for broadband pay ranges.

Schedule 07, 11, 14, and 15 pay adjustments for permanent employees in non-broadband pay ranges will be in accordance with ch. ER 29, Wis. Admin. Code, except as follows:

- (1) The pay of regraded employees whose positions are reallocated or reclassified to a higher classification shall be determined in accordance with s. 29.03, Wis. Admin. Code, except that in lieu of any one-step increase amounts regraded employees will receive an amount equal to eight percent (8%) of the applicable pay range minimum or the pay range minimum, whichever is greater. If a reallocation is due to a pay range reassignment, the increase provided above **may** be provided at the discretion of the OSER Director.
- (2) Pay on promotion will be determined in accordance with s. 29.03(4), Wis. Admin. Code, except that in lieu of the increase amounts provided pursuant to s. 29.03(4)(b), Wis. Admin. Code, employees will receive an amount equal to eight percent (8.0%) of the applicable pay range minimum or the minimum of the pay range, whichever is greater.
- (3) No six (6) month increases shall be granted to employees upon completion of the first six (6) months of any probationary period.
- (4) For all pay adjustments, all references to “PSICM” in ER 29, Wis. Admin. Code, will be changed to “minimum.”

**4.02 Pay Adjustments for Schedules 02, 03, 05, 06 and 12 and Certain Ranges in Schedule 36 (Ranges 36-11 through 36-15)**

**Correctional Officer, Correctional Sergeant, Psychiatric Care Technician, Youth Counselor and Youth Counselor-Advanced:** Pay administration for Correctional Officer, Correctional Sergeant, Psychiatric Care Technician, Youth Counselor and Youth Counselor-Advanced will be administered in accordance with pay administration provisions of 4.02 except as follows:

- (1) If an employee moves from pay range 31 to pay range 32 after completing 24 months' time in class, his or her base pay will be increased by ten percent (10%). If an employee moves from pay range 32 to pay range 31 after completing 24 months' time in class, his or her pay would be reduced by ten percent (10%).
- (2) If an employee moves from pay range 31 to pay range 32 before completing 24 months' time in class, his or her base pay will be increased by five percent (5%). If an employee moves from pay range 32 to pay range 31 prior to completing twenty-four (24) months' time in class, his or her pay would be reduced by five percent (5%).
- (3) After completion of 24 months of adjusted continuous service, employees in positions allocated to classification in pay ranges will be paid the greater of the employees current rate of pay or:

Pay Range 05-31: \$16.830 per hour  
Pay Range 05-32: \$18.513 per hour

Counting Time in Pay Status: The Employer will waive up to sixty (60) days, per occurrence, of time changed to a s. 230.36 claim or Workers Compensation claim. If the 24 month time in class is attained on the first day of the pay period, the employee's adjustment, if any, will occur on that date. Time in class shall be defined as any time in pay status in a classification listed above, except that any time in pay status prior to a voluntary break to outside state service or to a classification not listed shall not be counted.

**The following provisions of this section shall apply for all personnel transactions to, between, or within positions allocated to classifications covered by 4.02.**

**Minimum:** On completion of any personnel transaction, the employee shall receive a base pay rate no lower than the minimum of the appropriate pay range.

**Maximum:** All pay transactions are subject to the pay range maximum unless the pay is determined in accordance with provisions that allow the pay rate to exceed the pay range maximum or the employee is receiving a temporary transaction rate (TTR).

**Probationary Periods:** There shall be no pay increase upon completion of the first six months of any probationary period.

**On promotion, movement to a higher pay range within a lettered classification, regrade for reclassification or reallocation to a higher pay range, or reinstatement to a higher pay range:** Except for movements from 05-31 to 05-32, the employee's current base pay rate shall be increased by the Range Adjustment amount (RA) for the pay range of the position to which the employee is moving. If the movement or regrade is more than one (1) pay range, the employee shall receive an additional increase(s) equal to the RA(s) for each pay range(s) between the old and new range involved, excluding pay range 12 if the employee has already received the progression adjustment for the DMV Field Agent classification. However, the employee's pay rate shall be increased by a maximum of the three (3) highest RAs as described above.

On regrade for reclassification or reallocation to the same, counterpart, or lower pay range, the employee's current rate of pay shall be retained. If the present rate of pay exceeds the pay range maximum, the employee's present rate of pay shall be retained for two years (a TTR). The first day of the pay period following the date of expiration of the employee's TTR, the employee's pay rate shall be reduced to the maximum of the pay range. If at expiration of the employee's TTR the pay range maximum exceeds the employee's TTR, the TTR will become the employee's present rate of pay.

Regraded employees serving a probationary period for an original appointment shall continue to be compensated at their present rate of pay as long as it does not exceed the pay range maximum of their new classification. If the present rate of pay exceeds the pay range maximum, it shall be reduced to the pay range maximum.

**On voluntary demotion, except those listed below:** Except for movements from 05-32 to 05-31 or from a Chapter 980 classification, the employee's current base pay rate shall be decreased by each RA starting with the pay range of the position from which the employee is moving and including all of the RAs between the original position and the new position. The employee's pay rate shall be decreased by a maximum of three (3) highest RAs. The RA(s) used for pay ranges not covered by 4.02 shall be determined as follows:

- (1) If the position from which the employee is moving is not covered by 4.02 but is allocated to a classification which is counterpart to a pay range in the schedule to which the employee is moving, the RA(s) of the counterpart pay ranges shall be considered the RA(s) for the pay range of the position from which the employee is moving;
- (2) If the position from which the employee is moving is not covered by 4.02 and is allocated to a classification which is **not** counterpart to a pay range in the schedule to which the employee is moving, the initial RA used shall be that of the pay range to which the employee is moving that has a pay range maximum

closest to but higher than the pay range maximum of the not covered position; and

- (3) If, under (2) above, there are no higher pay range maximums in the schedule to which the employee is moving, the highest RA in that schedule shall be the initial RA for the pay range of the position from which the employee is moving. In addition, this RA shall also be considered the first RA between the old and new pay ranges if the demotion is more than one (1) range.

RAs for pay ranges 12-30, 12-31, 12-32 and 12-33 shall not be used in determining the pay for movements to positions in other schedule 12 pay ranges.

**On involuntary demotions, demotions in lieu of layoff, or demotion after being designated at risk in a position covered by 4.02:** Except for movements from 05-32 to 05-31 or from a Chapter 980 classification, the employee shall continue to be compensated at their present rate of pay. If the present rate of pay exceeds the pay range maximum, the employee shall receive a TTR for two years. The first day of the pay period following the expiration of the employee's TTR, the employee's pay rate shall be reduced to the maximum of the pay range into which they demoted. If at expiration of the TTR period the pay range maximum exceeds the employee's TTR, the employee's TTR will become the employee's present rate of pay.

*An employee demoted for disciplinary purposes shall be compensated in accordance with the language for voluntary demotions instead of as an involuntary demotion.*

**All Demotions for Chapter 980:** If demoting into a classification in which the employee had permanent status in class through a previous appointment, the employee's pay will be set at the last rate received in the classification to which the employee is demoting, plus intervening increases. If demoting into a classification in which the employee did not attain permanent status in class through a previous appointment, the employee's pay will be set in accordance with pay on original appointment.

**On voluntary transfer, except those listed below:** The employee shall continue to be compensated at their present rate of pay.

**On involuntary transfers, transfers in lieu of layoff, or transfers after being designated at risk in a position covered by 4.02:** The employee shall continue to be compensated at their present rate of pay. If the employee's present rate of pay exceeds the pay range maximum, the employee shall receive a TTR for two years. The first day of the pay period following the expiration of the TTR, the employee's pay rate shall be reduced to the maximum of the pay range. If at expiration the pay range maximum exceeds TTR, the TTR will become the present rate of pay.

**On reinstatement:** Except reinstatements in which the last position held was in a Chapter 980 classification, the employee's base pay rate shall be determined in accordance with s. ER 29.03(6).

**Reinstatements for Chapter 980:** If reinstating into a classification in which the employee had permanent status in class through a previous appointment, the employee's pay will be set at the last rate received in the classification to which the employee is reinstating, plus intervening increases. If reinstating into a classification in which the employee did not attain permanent status in class through a previous appointment, the employee's pay will be set in accordance with pay on original appointment.

**On restoration:** The employee's base pay rate shall be determined in accordance with s. ER 29.03(7).

**On movement to a trainee position:** A current employee's base pay rate shall be determined in accordance with provisions applicable to the transaction type involved.

**TTRs:** A TTR received under the provisions in effect prior to implementation of this Plan shall continue if the employee is subsequently covered by the provisions of this section and the employee's base pay rate is over the maximum of the applicable pay range.

Effective the first day of the pay period following the expiration date of the TTR, or the date of the employee leaves a position covered by 4.02, the employee's base pay rate shall be the TTR rate or the maximum of the applicable pay range, whichever is less. If the date of expiration or termination is the first day of the pay period, that date will be the effective date. If not over the maximum, the employee's base pay rate shall be the TTR rate.

The TTR shall be considered expired if a subsequent transaction will result in a higher pay rate. The new base pay rate will be calculated using the TTR rate or the maximum of the old pay range, whichever is less, as the current rate of pay immediately prior to the transaction.

#### **4.03 Pay Adjustments for Pay Ranges 36-40, 36-41 and 36-42**

Except as provided below, all personnel transaction pay adjustments for employees moving to, between, or within positions allocated to classifications in pay ranges 36-40, 36-41 and 36-42 will be determined in accordance with the following provisions.

**Definitions:** The definitions set forth in the rules (ss. ER 1.02 and ER MRS. 1.02, Wis. Admin. Code) will be used in determining all personnel transactions with the following exceptions/additions:

For pay schedules included in this Agreement, “higher pay range” means the pay range with the grid endpoint rate that has the greater dollar value, when comparing pay ranges not designated as counterparts. (Replaces definition for “higher pay range” in ss. ER 1.02 (13) and ER MRS. 1.02(9), Wis. Adm. Code)

For pay schedules included in this Agreement, “lower pay range” means the pay range with the grid endpoint rate that has the lesser dollar value, when comparing pay ranges not designated as counterparts. (Replaces definition for “lower pay range” in ss. ER 1.02(19) and ER MRS. 1.02(16), Wis. Adm. Code)

For pay schedules included in this Agreement, “same pay range” means a pay range with a grid endpoint rate that has the same dollar value, when comparing pay ranges not designated as counterparts. (Supplementary definition)

For pay schedules included in this Agreement, “pay range maximum” means the grid endpoint of a pay range. (Supplementary definition)

“Grid rate” means the rate of pay associated with a grid point in a pay range. (Supplementary definition)

“Grid seniority” means an employee’s or former employee’s full years of seniority on the date used to determine seniority level for purposes of implementing the most current grid for the applicable pay schedule. (Supplementary definition)

**Pay on Completion of all Pay Transactions (Minimum Requirement for Employees Other than Trainees):** In general, on completion of any personnel transaction, an employee will receive a base pay rate at least equal to the minimum rate for the class if the employee is serving a probationary period.

**Probation:** There will be no increase upon completion of the first six months of an original probation.

**On Upward Movements (Promotion, Regrade on Reclassification or Reallocation to a Higher Class):** An employee’s base pay will be set at the greater of the following rates:

- (1) The grid rate for the new class that corresponds to the employee’s grid seniority;
- (2) The employee’s current base pay rate; or
- (3) If the employee’s current base pay rate is greater than the grid endpoint of the old class, the employee’s current base pay rate plus the difference between the grid endpoint rate of the new class and the grid endpoint rate of the old class.

**On Downward Movements (Voluntary Demotions Other Than Demotion in Lieu of Layoff):** An employee’s base pay will be set at the grid rate for the new

class that corresponds to the employee's grid seniority. If the employee's grid seniority level is greater than or equal to the seniority level corresponding to the grid endpoint for the new class, the employee's base pay will be set at the grid endpoint rate.

**All Other Downward Movements (Involuntary Demotion, Voluntary Demotions in Lieu of Layoff or After Being Designate as At Risk of Layoff in a classification covered by 4.03, and Regrade on Reclassification or Reallocation to a Lower Class):** An employee's base pay will be set at the greater of the following rates:

- (1) The grid rate for the new class that corresponds to the employee's grid seniority; or
- (2) The employee's current base pay rate.

If the downward movement results in the employee retaining his/her current base pay rate, such a rate will remain in effect for a period of two (2) years from the transaction effective date ("temporary transaction rate"). Upon expiration of the temporary transaction period or upon the employee's separation from state service, whichever occurs earlier, the employee's current pay will be set in accordance with the provisions for voluntary demotion. Upon termination of the temporary transaction rate for any of the reasons identified above, the adjusted current pay rate will be used when determining the appropriate pay rate for all subsequent personnel transactions, unless otherwise provided.

**On Lateral Movements within Pay Ranges 36-40, 36-41 and 36-42, Regrade on Reclassification or Reallocation to the Same or Counterpart Range:** An employee's base pay will be set at the greater of the following rates:

- (1) The grid rate for the new class that corresponds to the employee's grid seniority; or
- (2) The employee's current base pay rate.

**On Lateral Movements from Outside Pay Ranges 36-40, 36-41 and 36-42 (except as noted below):** An employee's base pay will be set at the grid rate for the new class that corresponds to the employee's grid seniority. If the employee's grid seniority level is greater than the seniority level corresponding to the grid endpoint for the new class, the employee's base pay will be set at the grid endpoint rate. If the employee's grid seniority level is less than the lowest seniority level for the new class, the employee's base pay will be set at the minimum rate for the new class.

**On Lateral Movement from Pay Ranges Other than 36-40, 36-41 and 36-42 Involving Involuntary Transfers and Transfers in Lieu of Layoff:** An employee's base pay will be set at the greater of the following rates:

- (1) The grid rate for the new class that corresponds to the employee's grid seniority; or
- (2) The employee's current base pay rate.
- (3) If the lateral movement results in the employee retaining his/her current base pay rate, such a rate will remain in effect for a period of two (2) years from the transaction effective date ("temporary transaction rate"). Upon expiration of the temporary transaction period, a personnel transaction that provides a higher base pay rate, or upon movement out of the WLEA Bargaining Unit, whichever occurs earlier, the employee's current pay will be set in accordance with the provisions for transfer under F/2, of this Appendix. Upon termination of the temporary transaction rate for any of the reasons identified above, the adjusted current pay rate will be used when determining the appropriate pay rate for all subsequent personnel transactions, unless otherwise provided in this Appendix.

**On Reinstatement:** An employee's base pay will be set at the grid rate for the class to which reinstated that corresponds to the employee's grid seniority. If the employee's grid seniority level is greater than the seniority level corresponding to the grid endpoint for the class, the employee's base pay will be set at the grid endpoint rate. If an employee's grid seniority level is less than the lowest seniority level for the class to which reinstated and the employee previously attained permanent status in class, the employee's base pay will be set at the minimum rate for the class to which reinstated.

**On Restoration (except as provided below):** Upon restoration to a position at the same pay range and in the same bargaining unit as the class from which restoration rights are derived, an employee's base pay will be set at the greater of the following rates:

- (1) The grid rate for the class to which the employee is restored that corresponds to the employee's grid seniority, or
- (2) The employee's last rate of pay received in the position from which restoration rights are derived, plus any intervening adjustments under s. ER 29.04(13) or (14), Wis. Adm. Code. The adjustments applied to the employee's last rate of pay received will be those applied to the class from which the restoration rights are derived.

Upon restoration to a position at a counterpart pay range from that of the position from which restoration rights are derived, an employee's base pay will be set at the grid rate for the class to which restored that corresponds to the employee's grid seniority. If the employee's grid seniority is greater than the seniority level corresponding to the grid endpoint for the new class, the employee's base pay will be set at the grid endpoint rate.

Upon restoration to a position at a lower pay range from the position from which restoration rights are derived, an employee's base pay will be set in accordance with the provisions relating to demotions other than those that are voluntary.

**On Restoration for Non-completion of Promotional Probation to Pay Ranges Other Than 36-40, 36-41 and 36-42:** An employee's base pay will be set at the grid rate for the class, to which restored, that corresponds to the employee's grid seniority. If the employee's grid seniority level is greater than the seniority level corresponding to the grid endpoint for the new class, the employee's base pay will be set at the grid endpoint rate.

**Trainees:** On completion of any personnel transaction, a trainee will receive a base pay rate not less than the minimum rate for the training program. For Regrade on Reallocation (Upward, Downward, Lateral), a trainee will retain the same pay relationship within the training program, based upon qualifications and the specific segments of the training program that have been waived or completed. For other upward, downward or lateral movements, a trainee's base pay will be set in accordance with the applicable provisions of 4.03.