

SENATE FILE NO. SF0125

State employee compensation.

Sponsored by: Joint Appropriations Interim Committee

A BILL

for

1 AN ACT relating to administration of government; modifying
2 the state employee classification and compensation plan;
3 modifying duties of the department of administration and
4 information relating to the state employee classification
5 and compensation plan; authorizing compensation for moving
6 expenses for gubernatorial appointees as specified;
7 authorizing expenditures for staff transitions for state
8 elected officials as specified; and providing for an
9 effective date.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 9-2-1002(a)(xi), 9-2-1005(b)(iv),
14 9-2-1022(a)(ii), (vi), (xi)(A), (D), (b)(intro), (i)
15 through (iii), (c)(i) through (iii), (v) and (vi), 9-3-104
16 and 11-20-405(a) are amended to read:

17

1 9-2-1002. Definitions; powers generally; duties of
2 governor; provisions construed; cooperation with
3 legislature and judiciary; divisions enumerated.

4
5 (a) As used in this act:

6
7 (xi) "Contract employee" means an employee who
8 is hired by any agency for a limited period of time,
9 pursuant to rules promulgated by the human resources
10 division in W.S. ~~9-2-1022(a)(xi)(E)~~ 9-2-1022(a)(xi)(F);

11
12 9-2-1005. Payment of warrants; budget powers of
13 governor; agency budgets; federal funds; new employees.

14
15 (b) Subject to subsection (c) of this section, the
16 governor may:

17
18 (iv) Authorize the implementation of the
19 personnel classification and compensation plan consistent
20 with W.S. 9-2-1022(b). ~~This plan shall reflect a~~
21 ~~legislative pay policy to support a combination of salaries~~
22 ~~and benefits at equitable levels recognizing the relative~~
23 ~~internal value of each position as determined by job~~
24 ~~content, and the labor market in this geographic area for~~

1 ~~similar work, with due consideration of the need to~~
2 ~~attract, retain and motivate qualified employees and to~~
3 ~~recognize the state's financial position.~~

4
5 9-2-1022. Duties of department performed through
6 human resources division.

7
8 (a) Subject to subsection (b) of this section, the
9 department through the human resources division shall:

10
11 (ii) Establish and administer a ~~uniform and~~
12 consistent, equitable and flexible compensation plan
13 covering all agency employees; ~~specifying the minimum,~~
14 ~~intermediate and maximum levels of pay for positions within~~
15 ~~each classification;~~

16
17 (vi) Initiate and administer recruitment
18 programs designed to attract a sufficient quantity of
19 suitable and qualified employees to the service of the
20 state as needed to fulfill service commitments to its
21 citizens;

22
23 (xi) Promulgate reasonable rules:
24

1 (A) Which are necessary to administer the
2 classification plan, and the compensation plan; ~~and the~~
3 ~~system of service ratings;~~

4
5 (D) Necessary to administer a program
6 whereby ~~two (2)~~ employees may share ~~one (1)~~ position or
7 ~~three (3)~~ employees may share ~~two (2)~~ positions as set
8 forth in subsection (f) of this section;

9
10 (b) The ~~current~~ state compensation plan shall apply
11 to all state executive branch employees except those
12 employees of the University of Wyoming and community
13 colleges. The compensation and classification plan shall
14 be designed to attract and retain a sufficient quantity of
15 quality employees with competitive compensation based on
16 relevant labor markets for each class of employment. The
17 plan shall be based upon principles of fairness and equity
18 and be administered with sound fiscal discipline. The plan
19 shall utilize both fixed and variable compensation as well
20 as noncash reward and recognition programs. All variable
21 compensation benefits under the plan shall be administered
22 by the department as a separately designated and
23 appropriated budget item. ~~It~~ The plan shall consist of:

1 (i) Current job descriptions. These shall
2 describe job content including the nature and level of work
3 performed, responsibilities, requirements to possess
4 professional licenses, certifications or registrations, and
5 assist in job evaluation and classification, pay
6 comparisons with other entities, recruitment, selection and
7 performance appraisal;

8
9 (ii) Job evaluation and classification. This
10 process shall formally assign positions to classifications
11 and determine pay grades in one (1) or more pay systems
12 based on an evaluation of the content of jobs using
13 quantitative point factors. At a minimum, these factors
14 shall include knowledge, experience, skill,~~effort,~~
15 ~~responsibility, including requirements to possess~~
16 ~~professional licenses, certifications or registrations,~~
17 problem solving, accountability and working conditions.
18 These factors and their weights shall be established by the
19 human resources division and reflect the relative
20 importance of job content to the state and to the
21 appropriate local, regional, national market or a
22 combination of these markets as determined by the division.
23 Establishing the value of compensation shall be primarily
24 based on establishing the appropriate market value of the

1 job. For positions for which a market value cannot readily
2 be identified, the value of compensation shall be based on
3 a fair and defensible method. Total compensation, including
4 base salary, benefits, lump sum payments, allowances and
5 other variable elements of compensation shall be targeted
6 at a competitive level when compared to the appropriate
7 labor markets to allow the state to attract and retain the
8 quality and quantity of employees needed to fulfill service
9 commitments to its citizens. The human resources division
10 shall periodically audit and update the system to ensure
11 that it reflects current labor market conditions and at the
12 request of the state employee compensation commission shall
13 review applicable department rules and regulations, or
14 through assessing employee complaints analyze hiring
15 difficulties and turnover statistics;

16
17 (iii) Pay data collection and analysis. Data
18 collection shall be based on a defined and relevant labor
19 market that is representative of public and private sector
20 employers. The relevant labor market may be local,
21 regional, national or a combination of these markets as
22 determined by the division to best reflect the relative
23 importance of a job to the state. Data analysis shall
24 identify salary ranges for each pay grade with minimum₇

1 ~~midpoint~~ and maximum dollar limits. The total compensation
2 package for state employees shall be considered in the data
3 collection and analysis;

4
5 (c) The state compensation plan shall provide for the
6 following procedures to establish and change individual pay
7 rates:

8
9 (i) Rates of pay shall be determined using
10 knowledge, skills, abilities, experience, responsibilities,
11 requirements to possess professional licenses,
12 certifications or registrations, and labor market
13 conditions giving consideration to salaries in the public
14 and private sector in the relevant labor market as
15 determined by the division. Rates of pay shall be based on
16 a combination of achievement of performance objectives,
17 recognition of differences in job content, acquisition and
18 application of further knowledge, skills and abilities;

19
20 (ii) ~~Except as otherwise provided by law for the~~
21 ~~period commencing July 1, 1994 and ending June 30, 1998,~~
22 General pay increases shall be only those approved by the
23 legislature;

1 (iii) Pay increases based on performance
2 appraisals shall be approved ~~after July 1, 1990,~~ consistent
3 with the performance appraisal system; ~~and appropriations~~
4 ~~for this purpose;~~

5
6 (v) Longevity pay increases shall be approved at
7 a rate of ~~thirty dollars (\$30.00)~~ forty dollars (\$40.00)
8 per month for each five (5) years of service. Longevity
9 pay increases shall not be considered as part of base pay;

10
11 (vi) Special pay increases may be approved by
12 the governor using available funds. ~~appropriated in the~~
13 ~~personnel services category in the agencies' budgets or~~
14 ~~using the authority granted in 1988 Wyoming Session Laws,~~
15 ~~Chapter 89, Section 209.~~

16
17 **9-3-104. Moving expenses.**

18
19 (a) When any state officer or employee is transferred
20 from one (1) official station to another within the state
21 of Wyoming for permanent duty, when the transfer is made at
22 the request of and for the benefit of the state of Wyoming,
23 the employing agency shall pay the actual expenses of

1 transporting the household goods and effects of the officer
2 or employee.

3
4 (b) The governor may expend up to twenty thousand
5 dollars (\$20,000.00) in any term of office, from any
6 appropriation to the governor's office not otherwise
7 specifically restricted, for purposes of defraying moving
8 expenses for gubernatorial appointees who are required to
9 move to Cheyenne. Not more than five thousand dollars
10 (\$5,000.00) shall be expended for any one (1) appointee. Any
11 funds expended for this purpose shall be reimbursed to the
12 state by the appointee if the appointee is employed by the
13 state for less than twelve (12) months.

14
15 (c) If there is a change in governor as a result of a
16 general election, the governor may expend up to thirty-five
17 thousand dollars (\$35,000.00) from any appropriation to the
18 governor's office not otherwise specifically restricted, for
19 transition staff salaries, travel and other related office
20 expenses. If there is a change of any other elected state
21 official as a result of a general election, the elected
22 official may expend up to fifteen thousand dollars
23 (\$15,000.00) from any appropriation to the official's office
24 not otherwise specifically restricted, for the same
25 purposes.

1 **11-20-405. Collection and disposition.**

2

3 (a) Any funds appropriated by the legislature and all
4 fees collected pursuant to W.S. 11-20-101 through
5 11-20-124, 11-20-201 through 11-20-230, 11-20-401 and
6 11-20-402 shall be remitted to the state treasurer for
7 deposit in the inspection account. Interest earned by the
8 account shall be retained in the account. Monies within the
9 account are subject to legislative review and appropriation
10 for use and expenditure by the board. Itemized vouchers
11 shall be submitted to the chief executive officer of the
12 board for approval. Upon approval, a warrant for the
13 payment of each voucher shall be issued by the state
14 auditor for payment from the inspection account.
15 ~~Notwithstanding W.S. 9-2-1022(a)(xi)(E),~~ The board shall
16 expend monies from the account created by this section only
17 for the purposes authorized by W.S. 11-20-201 through
18 11-20-230, and 11-20-101 through 11-20-124.

19

20 **Section 2.** W.S. 9-2-1022(a)(xi)(E), (xii) and (k) is
21 repealed.

22

1 **Section 3.** This act is effective July 1, 2009.

2

3 (END)