

**2001 DRAFTING REQUEST**

**Bill**

Received: 10/28/2000

Received By: **champra**

Wanted: As time permits

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Currier**

This file may be shown to any legislator: **NO**

Drafter: **champra**

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Subject: **Employ Pub - civil service**

Extra Copies:

**Pre Topic:**

DOA:.....Currier -

**Topic:**

Recruitment of limited term employees

**Instructions:**

See Attached.

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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/?	champra	<i>1/1 10/28/00</i> <i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i> <i>[Signature]</i>			

FE Sent For:

<END>

TOMMY G. THOMPSON  
GOVERNOR

GEORGE LIGHTBOURN  
SECRETARY



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**Date:** October 24, 2000  
**To:** Steve Miller, LRB  
**From:** Dawn Currier, DOA  
266-8777  
**Subject:** Department of Employment Relations Statutory Language

I'm forwarding stat language changes that the Department of Employment Relations (DER) included with its budget submission.

- 817 1. Increase Flexibility in Civil Service Recruiting. This is a package of six interrelated proposals designed to provide more flexibility in focusing the state's recruitment efforts: (1) eliminate the 6-month waiting period for paying employer share of health insurance premium costs; (2) institutionalize innovative recruitment and evaluation methods; (3) unilaterally delegate management of day-to-day personnel business to state agencies in order to concentrate DER efforts on policy guidance; (4) permit recruiting of LTEs who are residents of other states and nations; (5) Enhance career advancement opportunities within state government, and (6) convert DER's reports to on-demand provision of tailored information and delete obsolete reporting requirements. 823 825 826 821 823
- 818 2. Training to non-state employees. Permits DER to offer training courses to non-state governmental and private sector individuals and to collect fees from them for their participation in those programs.
- 819 3. Creation of related services appropriation. Create a PR-S continuing appropriation that will allow DER to deposit fees it collects from non-state entities for the provision of services or products.
- 820 4. Delete Program 2 in state statutes. Delete s. 20.512(2) Affirmative Action Council.

For your reference, I am including the documentation provided by the agency to aid in the preparation of these statutory language changes. Please contact me, if you have any additional questions or concerns. Thanks. 827

Break #1  
into individual  
components

99-308515  
has this  
program

# STATUTORY LANGUAGE PROPOSAL

## Department of Employment Relations 2001-03 BIENNIAL BUDGET

### LIST OF STATUTORY LANGUAGE REQUESTED

- ◆ Civil Service Flexibility
- ◆ Training Services to Non-state employees
- ◆ Creation of Related Services Appropriation
- ◆ Repeal s. 20.512 (2)

#### Contact:

Elizabeth Reinwald  
Legislative Liaison  
Department of Employment Relations  
608-266-5316

TITLE: INCREASED FLEXIBILITY IN CIVIL SERVICE RECRUITING

#### ISSUE:

Employment in Wisconsin is at an all-time high. The downside of this good economic news is keen competition among employers for the most qualified candidates to fill crucial positions. Demographic forecasts show that attracting skilled workers to Wisconsin jobs will be increasingly challenging for the next 20 years and beyond. Wisconsin state government needs to become once again the employer of choice for the best and brightest talents in crucial roles in order to render the highest quality service to the public. The challenge is to attract the best staff with cost effective measures .

#### DESCRIPTION OF LEGISLATION:

DER has developed a package of six interrelated proposals to provide greater flexibility in focusing the state's recruitment efforts:

- Eliminate the 6-month waiting period for paying the employer share of health insurance premiums
- Pilot innovative recruitment and evaluation methods
- Enhance career advancement opportunities within state government
- Permit recruiting of Limited Term Employees and project employees who are

TITLE: INCREASED CERTIFICATION FLEXIBILITY (PAGE 2)

residents of other states or nations

- Delegate management of day-to-day personnel business to state agencies in order to concentrate DER efforts on policy guidance
- Convert DER's reports to on-demand provision of tailored information. Delete obsolete reports.

WHY THE LEGISLATION IS NEEDED:

- Agencies report that the six-month delay before the state contributes the employer share of health insurance premiums is a tremendous barrier to the successful hiring of job applicants. By law, eligibility for health insurance coverage for a new employee must begin on the first of the month following the hire date, but employer contributions currently do not begin until the seventh month of employment. Wisconsin government service is losing the most desirable candidates to the private sector and to other public employers that provide employer contributions from the start of employment. Today, vacancy and turnover rates in some branches of the service are creating unacceptable levels of stress for remaining staff and "burnout" is being reported. Positions crucial to health and safety are experiencing unacceptably high levels of turnover and vacancy.
- As a result of the extremely tight labor market across the nation, innovative methods are being employed to attract and retain quality employees in both the public and private sectors. The National Association of State Personnel Executives, International Personnel Management Association and the Council of State Governments are some of the organizations highlighting innovative techniques. If Wisconsin State Government cannot continue to innovate in this new marketplace of human resources, the state will lose opportunities to attract some of the best and most skilled candidates for public service jobs. Candidates who can have their pick of employers will be attracted by assessment and competition methods more focused and targeted to the needs of today's recruiting environment.
- Retention of current, talented and experienced employees is a priority goal in the tight labor environment. In addition to improved compensation and benefits, DER believes that providing first opportunities for internal advancement to state staff will improve retention and make the state a more attractive employer.
- There is critical need to expand the workforce available to state agencies, particularly those with operations and/or institutions along the state's borders. Currently, about 80,000 Wisconsin residents commute to jobs in contiguous states while only about 18,000 non-state residents commute into Wisconsin. Currently, Limited Term Employees, those hired for six months or less, must be state residents. Permanent employees do not have to be state residents. Continued prohibition of non-resident LTEs deprives Wisconsin of a source of potential permanent residents and employees, puts state agencies at great disadvantage in

TITLE: INCREASED CERTIFICATION FLEXIBILITY (PAGE 3)

filling vacancies, and deprives state government of an important trained workforce pool. Additionally, since limited-term employment often is a route into permanent state employment for minorities and women, not acting will prevent state government from using career development as a retention enhancement.

- Day-to-day personnel transactions are most properly managed by each individual state agency closest to the workforce issues. DER wishes to increase delegation of agency personnel actions to each agency and focus on policy development, training and coordination.
- DER currently expends resources in compiling, printing and distributing reports that are no longer relevant to current needs or which could be better focused to current needs. Valuable efforts by the Division of Affirmative Action are diverted from proactive recruiting and assistance to agency affirmative action staffs into time consuming after the fact report production. Technological advances in data compilation and real-time reporting are not realized because the time required to assemble data into a formal published report ensures that reporting is always out of date in our rapidly changing employment environment. DER needs to focus efforts on immediately providing spot data from which policy decisions can flow.

PAST LEGISLATION:

This proposal has not been introduced as a package in previous sessions, although repeal of the six-month waiting period for employer health insurance premiums has been discussed in previous sessions. In the last session, the law was amended to allow immediate employer payment of premiums for University of Wisconsin faculty and academic staff.

ANTICIPATED FISCAL IMPACT:

Only the change to eliminate the six-month waiting period for employer share of health insurance premiums has a fiscal impact. The estimated fiscal impact of this change is:

	2002	2003	Total
GPR	\$ 5,325,300	\$ 5,325,300	\$ 10,650,600
Other Funds	6,269,000	6,269,000	12,538,000
Total	11,594,300	11,594,300	23,188,600

This estimate is based on projections for fiscal year 2001 assuming 3,300 new hires each year.

LANGUAGE OR DRAFTING MATERIALS:

Eliminate the 6-month waiting period for paying the employer share of health insurance premiums

40.02 (25) (b) 1m. of the statutes is repealed.

40.02 (25) (b) 2m. of the statutes is repealed.

40.05 (4) (a) of the statutes is repealed and recreated to read:  
40.05 (4) (a) 1. For health insurance, each insured employee and insured retired employee shall contribute the balance of the required premium amounts after applying required employer contributions, if any.

2. For an insured employee who began employment with the state before the effective date of this subdivision .... [revisor inserts date], and who is currently employed, but who is not an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2m., 1999 Stats, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7<sup>th</sup> month beginning after the date on which the employee begins employment with the state, not including any leave of absence.

2c. For an insured employee who is an eligible employee, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the date on which the employee becomes insured.

3. The employer shall continue to pay required employer contributions toward the health insurance premium of an insured employee while the insured employee is on a leave of absence, as follows:

a. Only for the first 3 months of the leave of absence, except as provided in subd. 3. b.

b. Unless otherwise provided in the compensation plan under s. 230.12, for the entire leave of absence if the insured employee is receiving temporary disability compensation under s. 102.43. 1

Permit recruiting of Limited Term Employees who are residents of other states or nations

230.03 (12) of the statutes is repealed.

230.26 (1m) of the statutes is repealed.



TITLE: INCREASED CERTIFICATION FLEXIBILITY (PAGE 5)

230.26 (5) of the statutes is amended to read:

230.26 (5) If the administrator determines that an agency is not in compliance with the requirements of, or rules related to, sub. (1), ~~(1m)~~ or (2) regarding a particular employee, the administrator shall direct the appointing authority to terminate the employee.

230.27 (1m) of the statutes is repealed.

Delegate management of day-to-day personnel business to state agencies in order to concentrate DER efforts on policy guidance

230.04 (1m) of the statutes is amended to read:

230.04 (1m) The secretary may delegate, in writing, any of his or her functions set forth in this chapter to an appointing authority, within prescribed standards if the secretary finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. ~~If the secretary determines that any agency is not performing such delegated function within prescribed standards, the secretary shall forthwith withdraw such delegated function. Subject to the approval of the joint committee on finance, the secretary may order transferred to the department from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the department reduced staff or shifted staff to new responsibilities as a result of such delegation. Any delegatory action taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be appealed to the personnel commission under s. 230.44 (1) (b). The secretary shall be a party in such an appeal.~~

230.05 (2) (a) of the statutes is amended to read:

230.05 (2) (a) Except as provided under par. (b), the administrator may delegate, in writing, any of his or her functions set forth in this subchapter to an appointing authority, within prescribed standards if the administrator finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. ~~If the administrator determines that any agency is not performing such delegated function within prescribed standards, the administrator shall withdraw such delegated function. The~~



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0823/1

RAC:...

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JOHN

DOA:.....Currier – Recruitment of limited term employees

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Do not gen

1 AN ACT ~~+~~; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

✓ STATE GOVERNMENT

✓ STATE EMPLOYMENT

Under current law, appointing authorities in state agencies are prohibited from appointing non-residents to limited term appointments and to project positions in the state civil service. This bill eliminates this prohibition.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 230.03 (12) of the statutes is repealed.

3 SECTION 2. 230.26 (1m) of the statutes is repealed.

4 SECTION 3. 230.26 (5) of the statutes is amended to read:

5 230.26 (5) If the administrator determines that an agency is not in compliance  
6 with the requirements of, or rules related to, sub. (1), ~~(1m)~~ or (2) regarding a

1 particular employee, the administrator shall direct the appointing authority to  
2 terminate the employee.

History: 1971 c. 270 ss. 54, 55; Stats. 1971 s. 16.21; 1975 c. 147 s. 54; 1977 c. 196 s. 51; Stats. 1977 s. 230.26; 1979 c. 97; 1979 c. 221 ss. 732, 909; 1981 c. 20, 26; 1983 a. 27 ss. 1613, 1614, 2202 (15); 1985 a. 332; 1997 a. 30, 307.

3 **SECTION 4. 230.27 (1m) of the statutes is repealed.**

4 **(END)**



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0823/1  
RAC:hmh&cjs:km

DOA:.....Currier – Recruitment of limited term employees

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**SECTION 3**

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3 **SECTION 4.** 230.27 (1m) of the statutes is repealed.

4 (END)