

Chapter PW-PA 10

**MERIT SYSTEM RULES FOR COUNTY AGENCIES
ADMINISTERING SOCIAL SECURITY AIDS, ADULT
SERVICES, CHILD WELFARE SERVICES, AND
JUVENILE COURT SERVICES**

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History: Chapter PW-PA 10 as it existed on October 31, 1971 was repealed and a new chapter PW-PA 10 was created, Register, October, 1971, No. 190, effective January 1, 1972.

PW-PA 10.01 Statement of intent. The intent of these rules is to promote the efficient personnel administration of staff providing services and aids in the programs of old-age assistance, of aid to the blind, to families with dependent children and to totally and permanently disabled persons, and of adult, child welfare and juvenile court services, in agreement with requirements for federal aid, by the establishment and maintenance of rules for a merit system of personnel administration.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.02 Delegation. (1) A civil service system shall receive full delegation in writing from the division if the system:

- (a) Requests in writing full delegation.
- (b) Offers sufficient evidence to substantiate it meets Wis. Adm. Code section PW-PA 10.03.

(2) If a delegated civil service system fails to maintain any requirement of Wis. Adm. Code section PW-PA 10.03 the division shall notify the civil service system in writing of its failure to meet requirement(s) of Wis. Adm. Code section PW-PA 10.03 and grant them 60 days to come into compliance.

(3) If the delegated civil service system does not come into compliance within 60 days the division shall:

(a) Rescind in writing that part of the delegation that is not being met; or

(b) Rescind in writing the full delegation.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72; am. Register, April, 1972, No. 196, eff. 5-1-72.

PW-PA 10.03 Requirements for a merit system of personnel administration. (1) The system shall cover all grant aided agencies required by the federal government to be under a merit system and shall be impartially administered by a qualified merit system officer who may be responsible to the chief executive, a top level official, a board or commission.

(2) All positions in the system shall be defined and classified based upon an analysis of duties and responsibilities.

(3) All positions in the system shall be placed in a hierarchical structure and compensated accordingly.

(4) For assessing conformance with minimum salary levels the county position with comparable qualifications shall have a salary at least equal to typist I, administrative assistant I, social worker I and director in the division of family services county merit system pay minimums.

(5) The groups from which recruitment is conducted for any position shall be broad enough so that at least 3 persons are qualified to apply.

(6) Within the recruitment area all qualified applicants shall have equal opportunity to compete for positions under Wisconsin statutes covering equal opportunity and fair employment practices.

(7) The appointing authority has a right to at least 3 names of certified candidates from which to select.

(8) The appointing authority shall appoint according to the rules of the merit system.

(9) A fixed probationary period for a given class shall be a part of the examination process. An employee is deemed a permanent employee if not terminated before the end of the fixed probationary period.

(10) The merit system shall insure that personnel records shall be maintained by the agency on all employees and the agency shall record all personnel actions pertaining to the employee.

(11) The employee shall be given a written statement of agency work rules and fringe benefits.

(12) Lay-off procedures shall insure that no permanent employee in a given class is laid off while non-permanent employees are employed.

(13) Reinstatement procedures shall give priority to laid off employees.

(14) All permanent employees shall have a right to appeal termination of employment to an impartial body, or shall have a hearing by an impartial body prior to termination of employment. The ruling of this body shall be binding.

(15) The merit system shall provide that employee performance and potential shall be evaluated systematically in order to improve individual effectiveness, to assess training needs and plan training opportunities and to provide a basis for decisions on placements, pro-

motions, separations, salary advancements and other personnel actions.

(16) No employee of an agency shall accept compensation, gift or gratuity from any person, persons, or organizations which may be involved in decisions made or influenced by him, or which will otherwise create conflict between his duty in the public interest and his private interest.

(17) The merit system shall enable any agency to meet and maintain minimum state and federal statutes, rules and regulations for personnel practices, training and staffing patterns.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72; am. Register, April, 1972, No. 196, eff. 5-1-72.

PW-PA 10.04 Effect of rules. (1) The following rules for the merit system have the full effect and force of law as provided in section 227.01 (3), Wis. Stats.

(2) Full delegation to develop and administer a merit rule is available to counties that meet all requirements of Wis. Adm. Code section PW-PA 10.03.

(3) All other counties shall meet:

(a) Wis. Adm. Code sections 10.05 through 10.20 in administering personnel practices to agency employees whose positions are covered by a bargaining unit;

(b) Wis. Adm. Code sections 10.05 through 10.26 in administering personnel practices to agency employees whose positions are not covered by a bargaining unit.

(4) Agencies and collective bargaining groups using these rules should also be aware of and familiar with the statutory sections relating to county personnel administration and the state's supervisory role.

(5) These rules were adopted in accordance with section 49.50 (2), Wis. Stats., by the department of health and social services, and the administration of such rules shall be delegated to the division of family services.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72; am. Register, April, 1972, No. 196, eff. 5-1-72.

PW-PA 10.05 Exceptions to rules. The division may make exceptions to any of the merit system rules when under an unusual set of circumstances the enforcement of the rule(s) would thwart the objective of the merit system and granting of such an exception is not in conflict with Wisconsin or federal statutes or regulations.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.06 Definitions. (1) **DEPARTMENT.** Unless qualified, the State of Wisconsin Department of Health and Social Services.

(2) **SECRETARY.** The secretary of the department.

(3) **DIVISION.** Unless qualified, the division of Family Services of the department as constituted in section 46.03, Wis. Stats. The division shall be responsible with the approval of the secretary, for the performance of the functions of the department with respect to the application of the merit rules.

(4) **APPOINTING AUTHORITY.** The officer, board, person or group of persons having authority to hire, discipline, and remove subordinate employes.

(5) **AGENCY.** Either (a) the county agency charged with the administration of the social security aids and adult and child welfare services, or (b) the appropriate court having juvenile court jurisdiction.

(6) **DIRECTOR.** The administrator of an agency covered under these rules.

(7) **JUVENILE JUDGE.** That judge of the court(s) of record designated in a particular county in which juvenile matters will be heard pursuant to section 48.03 (1), Wis. Stats.

(8) **ADMINISTRATIVE LEAVE.** A voluntary leave of absence without pay at the request of the employee or an involuntary leave with pay at the request of the employer.

(9) **ALLOCATION.** The official act by which a position is initially placed in one of the classifications in the classified service.

(10) **BARGAINING UNIT.** A group of positions recognized by the county or certified by the Wisconsin employment relations commission to constitute a unit appropriate for collective bargaining purposes.

(11) **CLASSIFICATION.** A group of positions containing substantially similar duties, responsibilities, training and experience requirements and such other characteristics, that common job titles, pay provisions and tests of fitness may be applied to each position in the group.

(12) **DEMOTION.** The movement of an employee with permanent status from a position in one classification to a position of another classification having a lower maximum salary.

(13) **DESIRABLE QUALIFICATIONS.** The preferred requirements of education and experience and other qualifications as described for a given classification in the classification plan.

(14) **DISMISSAL.** The termination of employment of a permanent employee for cause, or a trainee or probationary employee for reasons specified by the employer.

(15) **DIVISION OF FAMILY SERVICES COUNTY MERIT SYSTEM PAY MINIMUMS.** A compensation plan which establishes minimum salaries for each classified position under these merit system rules which is published by the division annually.

(16) **ELIGIBLE.** Any person who is on an active register for appointment, promotion, or reinstatement.

(17) **EMPLOYEE.** (a) *Paid:* Any person who is employed and paid by the agency under these merit system rules.

(b) *Unpaid:* Any person who without pay performs tasks normally assigned to a paid employee. This person must meet the experience and training standards under these merit system rules.

(18) **EMERGENCY APPOINTMENT.** An appointment required because urgent and necessary work requirements exist for not more than 20 working days in any 12 month period without regard to other provisions of this rule covering appointments.

(19) **EXEMPT POSITION.** A position herein designated as a position exempt from the application of this rule. The exempt positions in the agencies are the following:

(a) Assistant district attorneys or corporation counsels serving as legal counsel.

(b) Students engaged in on-the-job training.

(c) Members of county welfare boards paid only for attendance at meetings.

(d) Volunteer workers who render services without pay. (See also section PW-PA 10.06 (45). ✓)

(e) Maintenance staff and unskilled labor.

(20) **FRINGE BENEFITS.** Employee benefits such as, but not limited to, vacation, sick leave, retirement, health insurance and life insurance.

(21) **IMPARTIAL BODY.** A person or group of persons having some understanding of employer-employee relationships, and who have no vested interest in the issue to be heard financially, administratively, legislatively, or judicially.

(22) **LAYOFF.** The termination of employment because of a shortage or stoppage of work or funds, functional reorganization, abolishment of a position, or for other similar reasons.

(23) **LIMITED TERM EMPLOYMENT.** Employment restricted to positions where the nature and conditions of employment do not lead to a career, and where the use of normal procedures for recruitment and examinations are not practical.

(24) **LONGEVITY PAY.** Additional pay granted to employees based on their length of service.

(25) **MINIMUM QUALIFICATIONS.** The requirements of education and experience and other qualifications are prescribed for a given classification in the classification plan.

(26) **MINIMUM SALARY.** The lowest salary rate paid in a given classification excluding any overtime, longevity or seniority pay, or reimbursement for necessary and reasonable costs incurred in the discharge of duties.

(27) **OBJECTIVE LEVEL.** The classified position to be obtained upon successful completion of a formal training period.

(28) **ORIGINAL APPOINTMENT.** The first appointment of an individual to a position in any agency through selection from a register.

(29) **PERMANENT EMPLOYEE.** A paid employee who has gained permanent status in an agency upon the successful completion of an original probationary period.

(30) **PERMANENT STATUS IN CLASS MINIMUM OR "PSICM".** That salary in the agency salary schedule for employees who have permanent status in a given classification which is at least 4% above the minimum salary established for that classification.

(31) **POSITION.** An office or employment in an agency (whether part-time or full time, temporary or permanent, occupied or vacant, paid or unpaid) composed of specific duties.

(32) **PROBATIONARY PERIOD.** The first 6 months of employment beginning with the date of original appointment to a permanent position except for director positions and for those classifications where the division considers it appropriate the probationary period shall be 12 months.

(33) **PROMOTION.** The movement of an employee from a position in one classification to a position in a different classification having a higher maximum salary.

(34) **RE-ALLOCATION.** The reassignment of a position to a different pay range or classification in the classification plan with no change in duties and responsibilities.

(35) **RECLASSIFICATION.** (a) *Duty changes.* The reassignment of a position to a different classification because of changes in the duties and responsibilities of the position.

(b) *Career progression.* The reassignment of a person to a higher classification in a connected series which has been specifically designed and designated as a career progression series. The advancement is based upon the individual's demonstrated capacity to perform tasks which require a higher degree of functional skills or attainment of specified additional training.

(36) **REGISTER.** A legally promulgated list of eligibles for a classification in the order of their final ratings in the examination procedures.

(37) **REINSTATEMENT.** The restoration without competition of an employee or former employee to a position in the same or a closely related classification in which he was previously employed.

(38) **RESIGNATION.** The termination of employment of an employee made at the request of the employee.

(39) **SALARY INCREASE.** An increase in salary within the salary range for the classification.

(40) **SENIORITY PAY.** See Longevity Pay, section PW-PA 10.06 (24) ✓

(41) **SOCIAL SECURITY AIDS.** Old-age assistance, aid to families with dependent children, aid the blind, and aid to the totally and permanently disabled persons as referred to in sections 49.18, 49.19, 49.20 to 49.37 and 49.61, Wis. Stats.

(42) **SUSPENSION.** A disciplinary action for cause in which an employee is removed from his position without pay for up to a maximum of 30 days in any one calendar year.

(43) **TRAINEE.** An employee participating in a formal on-the-job training program in a specific field to qualify him for an objective level position.

(44) **TRANSFER.** A change from one position to another in the same classification or another classification on the same level of qualifications within the agency or to another agency.

(45) **VOLUNTEER.** A person in an agency who is unpaid and who performs tasks not normally assigned to employees.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.07 Applicability. (1) All positions in the agency other than exempt shall be filled by persons selected in accordance with these rules.

(2) An individual who presents evidence that he has received permanent merit status in a given classification in an agency of another state, may within one year after separation be certified by the division for a position similar as to duties and qualifications provided he meets the current qualifications as to education and experience of the classification. Such person, if appointed, shall successfully complete the required probationary period before gaining permanent status in the new position.

(3) An individual in an agency not covered under these rules, upon the initial extension of the merit system to such agency, may apply to and shall be admitted to a qualifying examination covering the position in which he is presently employed. Upon successful completion of the qualifying examination, the individual shall be employed in the merit system agency.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.08 Transfers and voluntary demotions. (1) **TRANSFERS.** (a) *Within the agency.* The transfer of an employee from a position of one classification to a position of another classification, on the same level within the agency may be made provided the employee has the qualifications for the position of the new classification.

(b) *Between agencies.* 1. A permanent employee who transfers between agencies may be required to serve a probationary period at the discretion of the appointing authority. If, during this period, his services are found to be unsatisfactory he may be separated at the discretion of the appointing authority without the right of appeal.

2. The transfer of an employee from a classified position in the state service to a classification under these rules, of the same or lower level, may be made upon the request of the appointing authority. The employee may be required to serve a probationary period at the discretion of the appointing authority. If, during this period, his services are found to be unsatisfactory he may be separated at the discretion of the appointing authority without the right of appeal.

(2) **VOLUNTARY DEMOTION.** An employee, with the approval of the appointing authority, may accept a voluntary demotion within the agency. Acceptance of such voluntary demotion shall be furnished to the appointing authority in writing by the employee. In such a case, tenure rights to the previously held position are not retained. A permanent employee attains permanent status in the lower class, and a probationary period for employment in the lower class of position shall not be required.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.09 Required training. The agency shall make time and expenses available to staff for training required by the Division.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.10 Suspensions and terminations. (1) Suspension and termination of a permanent employee shall be for just cause.

(2) In each case the appointing authority when suspending or terminating any employee shall:

(a) Give the employee prior written notification. Such notification shall include:

1. Specific reasons for the particular action.
 2. The permanent employee's right of appeal of termination.
- (b) Send 2 copies of the notification to the division.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.11 Appeals from termination of permanent employees.

(1) No permanent employee of an agency shall have more than one avenue of appeal if terminated. Each permanent employee must have access through an established procedure, to an impartial body who can make determinations that are binding.

(2) When in the judgment of the Division such an impartial body is available through an employee-employer contract the contract shall govern the appeals procedure. Whenever there exists a conflict between the contract and these merit system rules, (except for section PW-PA 10.11 (3)), the merit system rules shall serve as a basis for the decisions of the impartial body.

(3) When no other such body exists for the employee the appeal shall be made under the following procedures.

(a) If an employee appeals under these rules, he shall submit in writing to the division (2 copies) no later than 30 calendar days after the date of action by the appointing authority, a request for a formal hearing. The division shall arrange to have such hearing held within 60 calendar days after receipt of the appeal. The appointing authority shall be notified of the appeal, and both the employee and appointing authority shall be notified reasonably in advance of the hearing.

(b) Both the appointing authority and the employee shall have the right to present witnesses and give evidence before the appeal board or examiner. The appeal board or examiner shall make a decision based upon the record presented at the hearing. Orders of the appeal board or examiner shall be binding upon the appointing authority. The order may be appealed to the Dane county circuit court as per section 227.15, Wis. Stats.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.12 Attendance and leave. The county board of supervisors or its designee or the juvenile judge for court attached staff shall adopt written policy covering at least the following items: attendance, vacation, sick leave, educational leave, administrative leave. Such policies shall be uniformly applicable, insofar as possible, to all employees of an agency. A copy of such policies and each subsequent revision or addition shall be filed with the division, and a copy shall be provided each employee and every new employee.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.13 Compensation provisions. The division shall establish a minimum salary for each classification in accordance with a schedule published annually. The schedule shall include an explanation of how the minimum levels were determined.

(2) A minimum rate of pay for each classification that is equal to or in excess of the published merit rule salary minimum for said classification shall be established for each agency by the authorized authority.

(3) The entrance salary for an employee who meets minimum training and experience requirements on original appointment shall be the prescribed minimum rate for the given range.

(4) A maximum rate of pay for each classification which shall allow for salary advancements based upon length of service and satisfactory quality of performance shall be established for each agency by the authorized authority.

(5) The county merit system compensation plan shall be divided into 5 groups:

(a) Directors shall be in a separate group.

(b) Group I shall include all other positions which require a bachelor's degree or higher training level.

(c) Group II shall include positions such as administrative assistants and accountant assistants.

(d) Group III shall include positions which do not require a bachelor's degree.

(e) The auxiliary group shall include a deputy director and highly specialized professionals such as psychologists, attorneys, project administrators, etc.

(6) A separate compensation plan for (a) employees whose positions are covered by a bargaining unit(s) and for (b) employees whose positions are not covered by a bargaining unit(s) shall be established by the authorized authority. Each agency's minimum and maximum for a given classification in the director's group, group I, group II, and group III shall be higher than the next lower level classification in the compensation plan that includes an employee.

(7) Salary levels shall be reviewed at least annually and when necessary adjusted by each county board of supervisors or its designee or the county judge for juvenile court attached staff, no later than January 1 of each year.

(8) Whenever a different salary level minimum and maximum is adopted by the authorized authority, the salary adjustments below shall be made:

(a) Each classification shall be allocated to the proper salary level.

(b) Each probationary employee's salary, if lower than, shall be increased to the minimum of the salary set by the county for his classification.

(c) Each permanent employee whose position is covered by a collective bargaining unit shall have his salary increased at least to the minimum of his classification.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.14 Personnel records. (1) Each agency shall maintain personnel records for each employee, showing name, title, salary, change in status, annual performance reports, and such other personnel information as may be necessary for effective personnel administration.

(2) Personnel records other than name, classification, title and salary shall be confidential, and the appointing authority shall make such records available only for a legitimate and just cause to the employee's designee, the county department's administrative and supervisory staff, welfare board members, county personnel officers, and authorized divisional representatives.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.15 Classification and selection. (1) **CLASSIFICATION.** (a) Each agency shall employ persons paid or unpaid in accordance with the classification plan published by the division which shall include for each classification an appropriate title, a description of the duties and responsibilities, and the necessary requirements of education, experience and other qualification.

(b) Each position in the agency shall be allocated by the division to one of the classifications established by the plan.

(c) Positions reallocated to different pay ranges or classifications, or reclassified shall be processed according to procedures established by the division.

(d) Existing classifications may be abolished or changed, or new classifications added by the division whenever the need arises.

(2) **RECRUITMENT.** (a) Each agency shall use recruiting publicity through appropriate media to provide open opportunity for interested persons to apply.

(b) Each agency shall specify that it is an equal opportunity employer.

(3) **EXAMINATION.** (a) Examination processes will maximize reliability, objectivity, and validity through a realistic and multi-part assessment of applicant attributes necessary for successful job performance in the position for which he is applying.

(b) All applicants qualified for examination shall be given the opportunity to be examined.

(4) **CERTIFICATION.** (a) Certification shall be based upon the examination process and made in accordance with procedures established by the division.

(b) A permanent employee who has resigned and submitted a letter of resignation at least 2 weeks prior to the effective date of separation shall be placed at his request on a reinstatement register of an appropriate classification at any time within 2 years after the date of separation. If the employee is not employed by an agency from the register within 2 years from the date of separation he must qualify under current procedures.

(5) APPOINTMENT. (a) The appointing authority shall appoint only from those candidates certified.

(b) The appointing authority shall give the selected candidate a written copy of his appointment before the candidate starts work.

(c) In an emergency situation the director, or in his absence the county board of welfare, or the juvenile judge for court attached staff, may detail a permanent employee to duties usually performed by another classification for a period not to exceed 3 months. If the duties are in a classification at a higher level the appointing authority shall recommend a salary to be paid commensurate with the employee's qualifications and with the duties that are being assumed and shall inform the division of such emergency assignment.

(d) All appointments shall be made in accordance with procedures prescribed by the division.

(6) TRAINEES. (a) An agency may request of the division the announcement and recruitment of a trainee position when:

1. A position at the objective classification has been authorized within the agency and:

a. Qualified applicants are not available for the objective classification, or

b. Filling the position as a trainee will be more appropriate than appointment in the objective classification, or

c. Special conditions exist as part of the provisions of the use of gifts, grants, bequests, or other devices from individuals, partnerships, associations, or corporations for providing employees with the training and/or experience to meet the qualifications of the objective classification.

(b) Trainee agreements, status and rights, and salaries will be in accordance with the procedures established by the division.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.16 Probationary period. (1) DURATION. (a) All original appointments to permanent positions shall be made from officially promulgated registers for a probationary period of 6 calendar months, except that:

1. For director positions and for those other classifications where the division considers it appropriate, the probationary period shall be 12 months. At any time, but not to exceed 6 months, persons in such positions shall be eligible for the fringe benefits of an agency.

(2) SUCCESSFUL COMPLETION. (a) Permanent status begins on the first work day following completion of the probationary period.

(b) Failure to give the employee written notice with specific reasons for his dismissal prior to the completion of the probationary period automatically gives the employee permanent status by default. (See section PW-PA 10.10 (2) (a).)

(3) PROMOTION DURING PROBATION. (a) The serving of a probationary period shall not, of itself, prevent an employee from being promoted to a position in a higher classification, provided he is certified from an appropriate register.

(b) If an employee is promoted during a probationary period, a new probationary period for the classification to which he is promoted shall begin with the date of appointment to such latter classification.

(4) **TRANSFER DURING PROBATION.** (a) The probationary period time served prior to a transfer may be carried over and applied to the new probationary period, or the appointing authority may require a new probationary period.

(b) In the case of persons employed in positions requiring 12 months probationary period who transfer during probation, the total probationary period served in all agencies may not exceed 18 months.

(c) For trainees, the total training period served for an objective classification in one agency may not exceed 24 months, and in all agencies may not exceed 30 months.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.17 Layoffs. Each county shall have local written policies setting forth explicit procedures to be followed by the appointing authority in carrying out layoff actions. These policies shall include how persons in a class are arrayed to decide layoff order.

(1) **BASIC REQUIREMENTS.** (a) No employee with permanent status shall be laid off from any position while any limited term, emergency or probationary employee is continued in a permanent position of the same class or equivalent class in the agency.

(b) An employee with permanent status whose services are terminated through layoff in a given class has the right to induce layoff considerations (bumping) in another class at the same or lower level for which his training and experience have qualified him regardless of whether a vacancy exists.

(c) A laid off employee refusing a position of similar work and class from which he was laid off or who fails to respond to the agency's offer to reinstatement after being given a reasonable period of time to respond, need not be offered any further reinstatement opportunity by the agency.

(d) An employee who has been laid off or demoted in lieu of layoff shall be reinstated when a vacancy for which he is qualified occurs in the agency, according to the inverse order of the layoff. The appointing authority shall notify each person laid off that he may establish reinstatement eligibility through the division within 2 years from the date of the layoff.

(2) **LAYOFF PROCEDURE.** (a) Within the agency or recognized employing unit, the appointing authority shall determine the class(es) to be affected and the number of positions to be vacated in each classification:

1. Terminate any limited term, emergency or probationary employees in the same class(es) or equivalent class(es) before commencing any layoff action of permanent employees.

a. Employees serving a promotional probationary period in a class affected by layoff shall be restored to their former position if promoted within the agency.

2. All positions in a class shall be considered as included, except that if certification to a position has been made on the basis of an approved sub-title, separate consideration shall be given such position.

a. Under established local policy the appointing authority shall determine which employee(s) will be laid off and notify them in writing of the action not less than 15 calendar days prior to the effective date of the action. Such notice shall contain:

- 1) The reason for layoff.
- 2) The effective date of layoff.
- 3) The last day of pay status.
- 4) Time limitation thereof.
- 5) Statement of reinstatement rights, (See section PW-PA 10.15 (4) (b))
- 6) Statement of "bumping" rights.
- 7) Statement of appeal rights.
- 8) Statement of status of fringe benefits, i.e., life insurance, health insurance, etc.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.18 Resignations. Every effort shall be made by the appointing authority to obtain a written resignation from a permanent employee who voluntarily leaves the service. Failure of an employee to submit a written resignation at least 2 weeks prior to the effective date of resignation shall result in forfeiture of reinstatement eligibility. If the employee submits a letter of resignation 2 weeks prior to the effective date of resignation the agency must notify the employee in writing that he will be placed on a reinstatement register on his request to the division of family services county personnel manager if the request is made prior to the second anniversary of his resignation. (See section PW-PA 10.15 (4) (b).)✓

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.19 Performance reports. (1) Each agency shall have in effect a uniform system of evaluation through performance standards consistent with good personnel management practices. These evaluations shall be prepared and recorded annually for all permanent employees and shall be considered in all personnel actions such as promotions, demotions and terminations for cause.

(2) The performance report shall be signed by the supervisor and employee at the time of evaluation and a copy of the report given to the employee. A copy of the report shall be maintained in the employee's agency personnel file.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

(3) A written evaluation of any trainee's performance shall be given to the trainee by the appointing authority or his designee prior to each salary adjustment throughout the training period. Copies of such evaluation shall be maintained in the trainee's personnel file.

PW-PA 10.20 Conflict of interest. No employee of an agency shall accept compensation, gift, or gratuity from any person, persons, or organizations which may be involved in decisions made or influenced by him, or which will otherwise create conflict between his duty in the public interest and his private interest.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.21 Adjustments of agencies salary range levels. Whenever a different salary level minimum is adopted by the county agency, each permanent employee's salary, if lower than, shall be increased to the permanent status in class minimum (PSICM) to assure that incumbent staff are not placed in a position of being paid the same or less than newly hired staff with comparable or less experience.

PW-PA 10.22 Hiring rates. (1) **EXPERIENCE AND TRAINING IN EXCESS OF MINIMUM REQUIREMENTS.** (a) When an applicant exceeds the minimum training and experience the agency may offer a salary above the minimum to the applicant. Such hiring above the minimum does not establish a new minimum for the classification.

(b) The agency shall review the salaries of its present employees prior to offering the applicant a salary above the minimum to insure that such salary is parallel and soundly related to the salaries and qualifications of present staff.

(2) **SALARY ON TRANSFER.** (a) *With permanent status:* The employee shall be paid no less than the permanent status in class minimum (PSICM) of the classification in the agency to which he transfers.

(b) *Transfer during probation:* In no case shall his salary be less than the minimum of the classification in the new agency.

(3) **SALARY UPON REINSTATEMENT.** (a) A permanent employee reinstated to the same agency shall be paid a salary no less than (PSICM).

(b) A permanent employee hired from a reinstatement register by a different agency may be placed on probation, and shall be paid no less than the minimum salary of the classification in the new agency.

(c) In any reinstatement in which an employee is required to serve a probationary period, completion of such probationary period shall not automatically make the employee eligible to receive a probationary increase, except if after the completion of the probationary period an employee is below the permanent status in class minimum (PSICM), his salary shall be adjusted by the amount necessary to place him at permanent status in class minimum.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.23 Salary increases. (1) **PROBATIONARY.** Upon successful completion of the established probationary period for the classification, at least a 4% salary increase of the minimum of the new salary level shall be granted effective no later than the first day of the pay period following completion of probation or upon completion of 6 months of a longer probationary period. An increase is not mandatory upon completion of the extended probationary period.

(2) **PROMOTIONAL.** (a) *Immediate increase.* An employee's present salary rate shall be increased to the minimum of the new salary level or at least his current salary plus 4% of the minimum of the new salary level, whichever is greater.

(b) *Salary.* Upon completion of the promotional probationary period the employee shall receive an increase of at least 4% of the minimum of the new salary level to be granted effective no later than the first day of the pay period following completion of probation or upon completion of 6 months of a longer probationary period. An increase is not mandatory upon completion of the extended probationary period.

(3) **RECLASSIFICATION.** When a position is reclassified to a classification with a higher maximum, the incumbent who has permanent status in that position and is authorized to perform the duties of the class to which the position is reclassified shall receive a salary increase to the permanent status in class minimum (PSICM) of the

new classification or his current salary plus at least 4% of the minimum of the new salary level, whichever is greater.

(4) **REALLOCATION.** (a) When a position is reallocated to another classification, the incumbent who has permanent status in that position shall receive at least his present salary or the permanent status in class minimum (PSICM) of the new class, whichever is greater.

(b) When a position is reallocated to another classification, the incumbent who does not have permanent status in that position shall receive at least his present salary or the minimum of the new class, whichever is greater.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.24 Demotion. When an employee is demoted, voluntarily or involuntarily, the rate paid shall be any rate within the salary level minimum and maximum for the classification to which he is demoted, which is not greater than the last rate received immediately prior to his demotion and not less than the permanent status in class minimum (PSICM) for the classification to which he is demoted.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.25 Part-time employment. When employment is on a part-time basis or for a portion of a month, the proportionate part of the rate for the time actually employed shall be paid.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.26 Reduction in pay, demotion and suspensions. (1) Reduction in pay, demotions and suspensions of permanent employees shall be for just cause.

(2) In each case the appointing authority when reducing in pay, demoting or suspending shall:

(a) Give the employee prior written notification. Such notification shall include:

1. Specific reasons for the particular action.

2. The permanent employees right of appeal.

(3) Appeals of reduction in pay, demotions and suspensions of permanent employees shall be governed by section PW-PA 10.11.

History: Cr. Register, October, 1971, No. 190, eff. 1-1-72.

PW-PA 10.27 Amendments. If and when it appears desirable in the interests of good administration, the health and social services board may make additions to or amend this rule.

Adopted: -----	January 29, 1940
Amended: -----	June 18, 1940
Amended: -----	October 9, 1941
Amended: -----	August 4, 1943
Repealed, renumbered and reenacted: -----	October 10, 1945
Amended: -----	July 24, 1949
Amended: -----	September 8, 1949
Repealed and reenacted: -----	October 9, 1955
Amended: -----	March 1, 1959
Amended: -----	October 1, 1960

Amended: ----- February 1, 1963
Amended: ----- December 1, 1964
Repealed and recreated: ----- August 24, 1966
Repealed and recreated: ----- December 1, 1968
Repealed and recreated: ----- October 28, 1970
Repealed and recreated: ----- September 22, 1971

History: Cr. Register October, 1971, No. 190, eff. 1-1-72.

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