

Chapter Pers 8

KINDS OF EMPLOYMENT AND TYPES OF APPOINTMENTS

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Pers 8.01 Designation by director. The director shall designate positions and employment in the classified service as permanent, seasonal, limited term or sessional.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 8.02 Kinds of employment. Generally the characteristics of each kind of position and employment are:

(1) **PERMANENT.** Authorized positions of continuous duration that require the services of an employe half-time or more on a daily, weekly or monthly basis. In addition, employment in school year positions shall be designated as permanent.

(2) **SEASONAL.** (a) *Criteria.* Authorized positions that meet the following criteria: where the need for such positions may be reasonably anticipated; which recur yearly or more often; where employment in such positions would normally lead to a career through successive reinstatements; and which require the services of an employe half-time or more on a daily, weekly, biweekly or monthly basis. See Wis. Adm. Code chapter Pers 9.

(b) *Limitation.* Employment of any person on a seasonal basis shall not exceed 11 months in any 12 month period. For the purposes of this subsection (the) chapter Pers 9 only, 2 full biweekly pay periods shall be considered the equivalent of one month. (and)

(c) *Exception.* The director may designate positions which recur and are of extremely short duration and lack career possibilities as limited term.

(3) **LIMITED TERM.** Positions where the nature and condition of employment do not lead to a career and where the use of normal procedures for recruitment and examination are not practicable. See Wis. Adm. Code chapter Pers 10.

(4) **SESSIONAL.** Positions in the legislature as provided in the rules of each house or in the joint rules and positions in the legislative reference bureau, the duration of which is closely related to the duration of the legislative session, shall be designated as sessional.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64; emerg. am. (2) (a) and (b) eff. 6-27-71; am. (2) (a) and (b), Register, September, 1971, No. 189, eff. 10-1-71.

Pers 8.03 Definition of appointment. An appointment is the action of an appointing officer to fill a position in his department in accordance with provisions of the law and these rules.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 8.04 Types of appointment. (1) In addition to appointments by promotion (see Wis. Adm. Code chapter Pers 14), transfer (see chapter Pers 15), reinstatement (see chapter Pers 16), demotion (see chapter Pers 17) and original appointments (see below), there are the following types of appointment:

(a) Provisional appointment as provided in subsection 16.20 (1), Wis. Stats.

(b) Emergency appointment as provided in subsection 16.20 (2), Wis. Stats.

(c) Exceptional appointment as provided in subsection 16.17 (4), Wis. Stats.

(d) Appointment to a limited term position as provided in subsection 16.20 (3), Wis. Stats. and in Wis. Adm. Code chapter Pers 10.

(2) Original appointment, definition. All appointments to positions that are not by promotion, demotion, transfer, or reinstatement as defined in appropriate chapters of these rules.

(3) An employe who has reinstatement eligibility other than from layoff (see chapter Pers 16) and who also has eligibility for original appointment in the same class, may be appointed on either basis at the discretion of the appointing officer, and such determination shall be reported to the director at the time of appointment.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 8.05 Limitation of types of appointment. (1) **LENGTH OF PROVISIONAL AND EMERGENCY APPOINTMENT.** A provisional appointment shall not exceed 30 work days. An emergency appointment shall not exceed 20 work days.

(2) **LENGTH OF LIMITED TERM APPOINTMENT.** See Wis. Adm. Code chapter Pers 10.

(3) **SUCCESSIVE PROVISIONAL AND EMERGENCY APPOINTMENTS PROHIBITED.** In no case shall successive provisional or successive emergency appointments be made in the same employing unit. The employe must be off the payroll for one payroll period before the emergency or provisional appointment may be repeated in the same employing unit.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 8.06 Status of employe on provisional, emergency or limited term appointment. (1) No tenure accrues from any provisional, emergency or limited term appointment.

(2) Time served on any such appointment shall not be counted as part of any probationary period.

(3) No vacation or sick leave is earned on any such appointment.

(4) Employes serving on any such appointment shall not be considered eligible to compete in promotional examinations.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 8.07 Limitation on multiple appointments. Except as provided in section 20.904 Wis. Stats. relating to cooperation of functions between departments, an employe shall not be appointed to more than the equivalent of one full-time permanent position (excluding overtime, deviation work week, or other variations in that one position). The combination of permanent positions and limited term positions

held by an employe shall not exceed the equivalent of one full-time permanent position, plus work on a limited term basis totaling less than half-time on a daily, weekly, or monthly basis. However, an employe may work in excess of the half-time rate for 3 months in any 12 month period, but in no case shall the total limited time employment time be in excess of Wis. Adm. Code section Pers 10.08.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.