

## Chapter ER-MRS 8

### PROCEDURES FOR CORRECTIONS AND ENTRY PROFESSIONAL POSITIONS

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**Note:** Chapter ER-Pers 8 was renumbered chapter ER-MRS 8 under s. 13.93 (2m) (b) 1., Stats., Register, October, 1994, No. 466; Corrections made under section 13.93 (2m) (b) 6., Stats., Register December 2003 No. 576.

#### Subchapter I — Affirmative Action Procedures for Corrections Positions

**ER-MRS 8.01 Policy.** This subchapter implements s. 230.213, Stats., which authorizes the director, for affirmative action purposes, to establish such recruitment and certification procedures for positions in the department of corrections as will enable the agencies to increase the number of employees of a specified gender or a specified racial or ethnic group.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; correction made under s. 13.92 (4) (b) 6., Stats., Register September 2012 No. 681; correction made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717; **CR 18-006: am. Register July 2018 No. 751, eff. 8-1-18.**

**ER-MRS 8.02 Applicability.** An appointing authority may use the procedures in this subchapter to fill permanent classified positions in the department of corrections.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; correction made under s. 13.92 (4) (b) 6., Stats., Register September 2012 No. 681.

**ER-MRS 8.03 Recruitment.** (1) An appointing authority shall submit to the director a comprehensive recruitment plan for each job classification subject to this subchapter. The plan shall outline approaches and strategies to attract qualified applicants from affirmative action groups.

(2) The appointing authority shall obtain approval of the recruitment plan from the director prior to announcing the position vacancy.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; correction in (1), (2) made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717.

**ER-MRS 8.04 Assessment.** (1) The appointing authority shall develop a plan to assess applicants, establish employment registers and certify applicants to be interviewed. The appointing authority shall obtain approval of the plan from the director before announcing the position vacancy. Approval shall be based on both of the following:

(a) Whether the plan will provide the appointing authority with the greatest opportunity to select qualified applicants from affirmative action groups.

(b) Whether the plan includes valid, job-related assessment criteria.

(2) With the director's approval, the appointing authority may assess applicants using techniques including oral evaluations; performance exercises; evaluation of training, education, or experience; writing samples or other techniques. An appointing authority may design the assessment techniques to categorize applicants into groups of eligible applicants.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; corrections in (1) (intro.), (2) made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717; **CR 18-006: am. (2) Register July 2018 No. 751, eff. 8-1-18.**

**ER-MRS 8.05 Certification.** With the director's approval, the appointing authority may determine how many applicants to interview. The director may provide an appointing authority with additional names of qualified applicants from affirmative action groups in order to comply with an approved affirmative action plan or program or to hire persons with disabilities. The number of names shall not be limited to the number specified in s. 230.25 (1n) (a), Stats.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; correction made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717; **CR 18-006: am. Register July 2018 No. 751, eff. 8-1-18.**

**ER-MRS 8.06 Review of recruitment and hiring results.** The director shall periodically review the results of recruitment and hiring procedures established under this subchapter. The department of corrections shall, on request, provide the director with the information and data needed to evaluate the program.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; correction made under s. 13.92 (4) (b) 6., Stats., Register September 2012 No. 681; correction made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717; **CR 18-006: am. Register July 2018 No. 751, eff. 8-1-18.**

#### Subchapter II — Entry Professional Program

**ER-MRS 8.20 Policy.** (1) This subchapter implements s. 230.22 (3), Stats., which authorizes the director to establish separate recruitment, evaluation and certification procedures for entry professional positions. This authority is intended to give appointing authorities of state agencies flexibility to recruit, assess and certify persons for entry professional positions so that the state can compete with other employers for the most qualified candidates.

(2) In accordance with ss. 230.15 (1) and 230.16 (4), Stats., all appointments under this subchapter shall be made only according to merit and fitness and all selection criteria shall be job-related in compliance with appropriate validation standards.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; correction in (1) made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717; **CR 18-006: am. (2) Register July 2018 No. 751, eff. 8-1-18.**

**ER-MRS 8.21 Applicability.** (1) An appointing authority may use the recruitment, evaluation and certification procedures in this subchapter to fill vacancies in entry professional positions for which open recruitment under s. ER-MRS 11.02 (1) is used.

(2) The administrator shall determine which entry professional job classifications may be filled under this subchapter, pursuant to criteria established by the administrator in ch. ER 8.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; corrections in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1994, No. 466; correction in (2) made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717; **CR 18-006: am. (1) Register July 2018 No. 751, eff. 8-1-18.**

**ER-MRS 8.22 Recruitment.** (1) The appointing authority shall develop a comprehensive recruitment plan for each job announcement on a form provided by the director.

(2) The appointing authority shall submit the plan for the director's approval before announcing the position vacancy or beginning recruitment activities. The director shall decide whether the plan complies with this subchapter's requirements and intent.

(3) The recruitment plan shall include measures to achieve equal employment opportunities and affirmative action policies, standards and plans established under ss. 230.01 (2) and 230.04 (9), Stats.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; corrections in (1), (2) made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717.

**ER-MRS 8.23 Assessment of applicants.** (1) The appointing authority shall develop a plan to assess applicants and establish an employment register. The appointing authority shall obtain approval of the plan from the director before announcing the position vacancy or beginning recruitment activities. The director shall determine whether the plan complies with this subchapter's requirements and intent and whether the plan includes valid, job-related assessment criteria.

(2) All applicants shall be admitted to the initial assessment process, but only those applicants who meet the assessment criteria for the position may be given further consideration.

(3) The assessment plan shall include the assessment techniques and criteria to be used to rate applicants. The assessment techniques and criteria shall include an evaluation of the applicant's qualifications which may be based on an evaluation of advanced educational achievements and relevant experience, written examinations, oral examinations, performance exercises, an evaluation of writing samples or other methods approved by the director. Additional assessment techniques may be used after the initial applicant evaluation to decrease or increase the number of applicants to be given further consideration in the hiring process.

(4) The assessment techniques may result in applicants being

categorized into groups such as "eligible" or "ineligible" or other rating categories approved by the director.

(5) Not more than 25% of all vacancies in all entry professional positions, on an annual basis, may be limited to persons with degrees from institutions of higher education, as defined in s. 108.02 (18), Stats., or degrees under an associate degree program, as defined in s. 38.01 (1), Stats. Vacancies may not be limited to persons with degrees without the approval of the director.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; corrections in (1), (3) to (5) made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717.

**ER-MRS 8.24 Certification.** (1) With the approval of the director, the appointing authority shall determine the number of applicants to interview. The determination shall be designed to produce a manageable number of qualified applicants to be interviewed and shall be based on job-related assessment and affirmative action criteria.

(2) The director may provide an appointing authority with additional names of qualified applicants from affirmative action groups in order to comply with an approved affirmative action plan or program or to hire persons with disabilities. The number of names shall not be limited to the number specified in s. 230.25 (1n) (a), Stats.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; correction in (1), (2) made under s. 13.92 (4) (b) 6., Stats., Register September 2015 No. 717; CR 18-006: am. (2) Register July 2018 No. 751, eff. 8-1-18.

**ER-MRS 8.25 Registers.** An applicant included on a register shall remain on the register for the time period specified in the appointing authority's assessment plan, but for not less than 6 months.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92.

**ER-MRS 8.27 Effect of other laws and rules.** The provisions of ch. 230, Stats., and chs. ER-MRS 6, 11 and 12 which do not conflict with this subchapter shall apply to appointments made under this subchapter.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; correction made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1994, No. 466.