

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: 05/7/99

Received By: champra

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Mason

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Subject: **Employ Pub - miscellaneous**

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Department of employment relations training responsibilities

**Instructions:**

See Attached

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## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 6, 1999

Joint Committee on Finance

Paper #411

### Increased Training Program Costs (Employment Relations)

[LFB 1999-01 Budget Summary: Page 210, #5]

#### CURRENT LAW

The employe development and training services appropriation under the Department of Employment Relations (DER) contains base level expenditure authority of \$396,000 PR annually (including \$45,000 PR added by the Committee at its September 24, 1998, meeting under s. 13.10 of the statutes). This appropriation currently funds 3.0 PR base level permanent positions (3.0 training officers).

#### GOVERNOR

Provide increased expenditure authority of \$57,000 PR in 1999-00 and \$68,900 PR in 2000-01 in the agency's employment development and training services appropriation: (a) \$50,400 PR in 1999-00 and \$62,300 PR in 2000-01 for increased costs of both in-house and contractor-provided training courses; (b) \$4,100 PR annually for LTE clerical support; and (c) \$2,500 PR annually for permanent property purchases. All of these additional funds would be placed in unallotted reserve. The Executive Budget Book indicates that the release of the funds from unallotted reserve would be contingent upon DER demonstrating to DOA that the demand for training courses and the associated revenues raised would be sufficient to support the higher expenditure authority provided.

#### DISCUSSION POINTS

1. The operation and viability of DER's employe development and training function have been the subjects of on-going attention by the Joint Committee on Finance in every state budget since the 1993-95 biennium. This budget paper: (a) briefly describes the agency's current training function; (b) discusses the budgetary and s. 13.10 actions during the 1997-99 biennium and the request from Joint Finance for an evaluation audit of the training program by the Legislative Audit Bureau (LAB); and (c) presents the major findings of the LAB's recently released audit

(Audit 99-5). That audit outlined several options available to the Legislature for addressing DER's ultimate role in employe training activities. A discussion of these options is also presented.

### **DER's Training Function**

2. Under provisions of s. 230.046(10) of the statutes, DER is authorized to offer employe development and training programs to state and local units of government, coordinate state-sponsored employe development and training and charge fees for employes who participate in such programs. The agency is also required under s. 230.046(2) and (4) of the statutes to approve supervisory training that is required for all new supervisors in the classified service and approve state agencies' systems for recording employe participation in training programs.

3. The agency's employe development and training services appropriation currently supports two functions: (a) the Office of Employe Development and Training (OEDT), which formulates, coordinates and offers training programs for state and other governmental employes, including supervisory training and advanced labor management training, coordination of state-sponsored training programs and monitoring of state agency training programs; and (b) the State Employment Options (SEO) program which provides training to W-2 participants in order to assist them in obtaining state civil service employment.

4. This appropriation has total authorized expenditure authority of \$438,900 PR in 1998-99. In addition, 3.0 PR permanent positions and 1.0 PR one-year project position are presently authorized under the appropriation. Of the 3.0 FTE permanent positions currently supported from this appropriation, 1.0 PR training officer position is assigned to the OEDT function, and 2.0 PR training officer positions are assigned to the SEO program function. The 1.0 PR project position (designated as a training director) is also assigned to develop a state strategic plan for training activities and to conduct special projects associated with the training function.

5. Revenues to support these activities derive from the fees charged to state and local governmental agencies whose employes participate in employe development and training programs and from reimbursement received under a contract with the Department of Workforce Development for costs associated with the operation of the SEO program. The current project position is supported by one-time grants of \$20,000 each from the Department of Commerce, the Department of Health and Family Services and the Department of Transportation.

### **1997-99 Actions Affecting DER's Training Function**

6. As a part of the Committee's deliberations on the 1997-99 budget, a review of the general operation and adequacy of funding of DER's training function was provided. As part of that review, the following general findings were noted:

- Based on an analysis of actual program receipts for the training function through the 1995-96 fiscal year, training revenues were found to have declined in each of the preceding three fiscal years.

- This trend appeared to be attributable to several factors: (a) state agencies had been setting aside reduced amounts of their budgets for employee training; (b) there had been a reduced rate of hiring of new employees and slower turnover at the supervisory level resulting in a decline in demand for basic supervisory training; and (c) alternative training opportunities outside DER-provided or sponsored courses were available to state agencies;

- Of the 152 scheduled courses offered during the 1995-96 fiscal year, some 63 (41.4%) had to be canceled because of insufficient enrollments; an additional 33 had fewer than 10 enrollees each; and six of the courses lost money (costs were greater than fees received); and

- Largely as a result of declining training revenues, 1.25 PR of the 2.25 PR positions that were then authorized for the OEDT function at that time had not been filled for more than three years.

7. Based on these considerations, the Committee acted to delete the 1.25 PR long-term vacant positions for the OEDT and further eliminated \$43,900 PR of associated salary, fringe benefits and permanent property expenditure authority. As a result of those budget actions, only 1.0 PR permanent position remained assigned to the OEDT function.

8. Also during this period, the Governor's Commission on the Reform of the State Human Resource System issued its final report and made a number of recommendations relating specifically to state employee training functions. Among the Commission's recommendations in this area were the following:

- DER should provide centralized coordination of statewide employee training but should minimize its role in the direct provision of training;

- A state agency training council should be established by DER to explore the consolidation of training functions;

- DER and the proposed training council should explore the development of training programs to provide core basic skills to supervisors, managers and executives; and

- DER should coordinate the provision of these training programs, but the actual training itself should be provided by other agencies and organizations.

9. At the time of the 1997-99 budget deliberations, DER had not completed its review of these and other recommendations of the Commission to determine what, if any, changes should be incorporated into its training functions. In addition, the Legislature had not had a chance to address any of the policy or priority changes proposed by the Commission. In light of these circumstances and the continuing funding concerns associated with the training functions, the Committee included a session law provision requesting a financial and performance evaluation audit of DER's training activities. However, this financial and performance evaluation audit provision was subsequently item vetoed by the Governor.

10. In December, 1997, DER submitted a request to DOA for additional resources for the OEDT function for possible inclusion in the forthcoming budget adjustment bill. This request entailed increased expenditure authority of \$27,000 PR and authorization for 0.5 PR program assistant position for OEDT activities. The stated rationale for the position was the need to assist the existing OEDT training officer position in handling such matters as class registrations, processing course cancellations, preparing class-related handouts, invoicing state agencies and performing general clerical duties. DER further indicated at the time that it believed there would be sufficient program receipts to fund the increased expenditure authority associated with the position. The agency's OEDT proposal was not included in the Governor's recommendations contained in the budget adjustment bill.

11. Following these developments, DER submitted a s. 16.515/16.505(2) request in July, 1998, for additional expenditure authority for certain training activities and for a one-year project position and associated funding. The purpose of the project position was to enable DER to undertake the development of a "Strategic Plan" for the agency's statewide training programs. The agency's original request was objected to, and in September, 1998, the Committee met to consider the matter under s. 13.10 of the statutes.

12. At that meeting, the Committee authorized the requested one-year project position and provided funding of \$51,600 PR for the remaining eight months in 1998-99 to support this position. An additional \$45,000 PR of base building expenditure authority was also provided for three specific training program activities that had clearly demonstrated program growth since the enactment of the 1997-99 biennial budget. Also at this meeting, the Co-chairs advised the Committee that they believed it desirable to request the Joint Committee on Audit to direct the LAB to undertake a full financial and performance evaluation audit of DER's training activities.

13. The Co-chairs, in a letter to the Joint Committee on Audit, requested that such an audit address, to the extent feasible, the following matters: (a) whether DER should continue to have any role in the direct provision of training courses; (b) what DER's role should be in employe training and whether its current statutory requirements in this area should be modified; (c) whether continued staffing should be provided in DER for training activities; and (d) how any such training functions might be made reliably self-supporting. Further, the Co-chairs also asked that "such a review ... be completed before the Legislature is asked to fund any future training program expansion activities..."

14. The Joint Committee on Audit approved the audit request on November 3, 1998, and the resulting audit was released by the LAB on March 31, 1999.

15. The principal findings of the LAB state employe training program audit are summarized in the following sections:

**Audit Findings: Extent of DER Training Activities**

16. The audit noted that DER provides a variety of training courses for state employes,



including classes offered by its own staff, staff from other state agencies and from private sector vendors. During the 1997-98 fiscal year, DER provided training to a total of 1,943 participants, of whom 1,569 received training from DER or other state agency staff and 374 received training from vendors from the private sector.

17. The audit indicated that this DER-sponsored training activity accounted for only a small portion of all employe training available in state government. For the 1997-98 fiscal year, the total number of state employes receiving DER training services amounted to about 3% of the 63,204 authorized positions in state government on June 30, 1998. The LAB also found that most state employes received training through in-house programs through their respective employing agencies. For example, from the 1993-94 fiscal year through the 1997-98 fiscal year, the LAB found that DER-sponsored training accounted for \$943,900 of the \$29,356,000, or 3.2%, of the total all funds training expenditures incurred by state agencies for training-related activities (including travel costs).

18. The audit found that most of DER's current training programs were concentrated on the following range of course offerings:

- *Basic supervisory training.* Under provisions of s. 230.046(2) of the statutes, an appointing authority must offer supervisory training to its supervisory employes in the classified service following their initial appointment. DER offers such a course that teaches the general principles of supervision and the requirements of the civil service system. During the 1997-98 fiscal year, the course was offered on six occasions to a total of 501 participants. Although DER offers basic supervisory instruction, the Department of Health and Family Services and the University of Wisconsin System have been authorized by DER to provide their own supervisory training programs. The Departments of Natural Resources and Transportation have also requested the authority to offer their own supervisory training programs, but DER has denied these requests.

- *Training specific to state government activities.* These courses include training in labor-management relations, the state's merit recruitment and selection process, affirmative action hiring, and the operation of the civil service system. Other agencies may also assist DER in offering courses. For example, DOA in concert with DER, offers training courses on state purchasing and procurement guidelines, contract administration and bidding procedures. These types of courses enrolled a total of 1,068 participants in 1997-98.

- *Vendor-taught general employe development training.* These types of courses related to such topics as improving general employment skills, interpersonal skills development, adapting to different management styles, motivational training and stress management. During 1997-98, 53 such courses were held for a total of 374 participants.

#### **Audit Findings: Training Course Costs and Revenues**

19. The audit found that a "steady decline in revenue from the course fees that support most of DER's training expenditures has raised concerns about DER's ability to provide effective

training at the lowest costs to state agencies." In general, the audit concluded that the program's revenue situation was primarily attributable to declining course enrollments. Further, vendor-taught courses that failed to cover their costs were cited as another contributing factor. Courses taught by state staff, however, have generally been successful enough to generate sufficient revenues to cover all of the program's PR-funded costs.

20. Table 1 summarizes the LAB's findings with respect to DER training revenues and expenditures over the five most recent full fiscal years:

**TABLE 1**  
**Revenue and Expenditures for DER-Sponsored Training Courses**  
**(1993-94 through 1997-98)**

	<u>1993-94</u>	<u>1994-95</u>	<u>1995-96</u>	<u>1996-97</u>	<u>1997-98</u>
<b>Revenue<sup>a</sup></b>					
<b>State-Taught Courses:</b>					
Supervisory Development (DER)	\$77,674	\$73,631	\$41,136	\$48,018	\$63,559
Advanced Labor Management (DER)	44,126	18,190	36,488	29,441	50,672
Purchasing/Procurement, etc. (DOA)	24,915	28,600	15,788	26,317	24,835
Merit Recruitment and Selection (DER)	0	0	1,417	8,365	15,431
Other	<u>6,710</u>	<u>5,538</u>	<u>5,818</u>	<u>14,912</u>	<u>2,544</u>
Subtotal State-Taught	\$153,425	\$125,959	\$100,647	\$127,053	\$157,041
Vendor-Taught Courses	<u>70,226</u>	<u>76,157</u>	<u>64,159</u>	<u>14,969</u>	<u>51,485</u>
Total Revenue	\$223,651	\$202,116	\$164,806	\$142,022	\$208,526
<b>Expenditures<sup>b</sup></b>					
State-Taught Courses	N.A.	N.A.	N.A.	\$123,802	\$96,903
Vendor-Taught Courses	N.A.	N.A.	N.A.	<u>24,328</u>	<u>66,532</u>
Total Expenditures	\$211,902	\$161,350	\$213,709	\$148,130	\$163,435
Revenue in Excess of Expenditures	\$11,749	\$40,766	-\$48,903	-\$6,108	\$45,091

<sup>a</sup> Estimates based upon enrollment data.

<sup>b</sup> Does not include GPR-funded instructors and administrative staff who teach and help to administer state taught courses.

N.A.: Expenditure data separated by state- and vendor-taught courses are not available prior to 1996-97.

21. Training course enrollments, as reported by the audit, for this same period of time for both state-taught courses and vendor-taught courses are summarized in Table 2:

**TABLE 2**

**Training Course Enrollments  
(1993-94 through 1997-98)**

<u>Training Courses</u>	<u>1993-94</u>	<u>1994-95</u>	<u>1995-96</u>	<u>1996-97</u>	<u>1997-98</u>
State-Taught Courses	1,440	940	778	1,246	1,569
Vendor-Taught	<u>660</u>	<u>700</u>	<u>581</u>	<u>125<sup>a</sup></u>	<u>374</u>
Total	2,100	1,640	1,359	1,371	1,943

<sup>a</sup> A delay by DOA in issuing the training services procurement bulletin reduced the number of vendor-taught courses held in 1996-97

Note: Enrollments are estimated for years prior to 1995-96 because DER enrollment date are incomplete.

22. With respect to the state-taught courses, the LAB found that such courses have consistently generated more revenue than the vendor-taught courses. The LAB attributed this situation to the fact that the state-taught courses had higher enrollments, and a number of them (such as for supervisory training) were also mandatory for certain employees. The state-taught courses accounted for most of the training program's enrollments during the five fiscal years studied (ranging from a low of 57.2% in 1995-96 to a high of 80.8% in 1997-98).

23. The state-taught courses have also contributed a majority of the revenues in excess of the expenditures that must be supported by program revenues. An examination of the state-taught revenue figures in Table 1 for the 1997-98 fiscal year, for example, showed that these types of courses generated \$157,000 in course fees and incurred costs of \$96,900. This resulted in an excess of revenues over expenditures of \$60,100, which was sufficient to offset an operating deficit for vendor-taught courses in that fiscal year.

24. However, the LAB questioned whether the full costs of the state-taught courses were, in fact, being recognized. For example, during the 1997-98 fiscal year, the audit identified an estimated additional \$96,000 of GPR-funded salary and fringe benefits costs for DER instructional staff time and \$13,000 of GPR-funded salary and fringe benefits costs for DOA instructional staff time. If these costs were to be fully recovered, course fees would have to be increased. The LAB estimated that such fees would have had to be increased by approximately 30% if these additional costs were required to be fully recovered.

25. With respect to the vendor-taught classes, the audit concluded that these courses "typically do not generate revenues in excess of their costs, despite higher course fees that take instructor costs into account." The audit also determined that the revenue generated from vendor-

taught course fees was not always sufficient to cover the costs of the courses that were held. The audit cited 1997-98 fiscal year experience, during which time it was estimated that 24 of 53 vendor-taught courses incurred \$4,500 more costs than they generated through fees.

26. The audit observed that unlike some of the state-taught training classes, enrollment in all the vendor-taught courses is voluntary. It was noted that the combination of voluntary enrollments and higher course fees generally contributed to lower enrollment rates in the vendor-taught courses. The combination of these two factors has made it difficult for the vendor-taught courses to be self-supporting. As can be observed in the data presented in Table 1, vendor-taught courses in 1997-98 generated approximately \$15,000 less in revenues than their costs to administer. [The LAB noted that this deficit drops to approximately \$11,000 when \$4,000 of revenues received in 1998-99 for 1997-98 costs are included.]

27. A recurring problem for the vendor-taught course offerings has been the consistent high level of course cancellations. The audit determined that over the last five fiscal years studied, the cancellation rate for types of courses has average 64.5%, compared to a rate of 14.7% for state-taught courses. Table 3 summarizes this course cancellation rate audit finding with respect to the vendor-taught classes:

**TABLE 3**

**Cancellation Rates for Vendor-Taught Courses**

<u>Fiscal Year</u>	<u>Courses Scheduled</u>	<u>Courses Held</u>	<u>Courses Cancelled</u>	<u>Cancellation Rate</u>
1993-94	100	52	48	48.0%
1994-95	111	52	59	53.2
1995-96	96	48	48	50.0
1996-97	99	15	84	84.8
1997-98 <sup>a</sup>	<u>214</u>	<u>53</u>	<u>161</u>	<u>75.2</u>
Total	620	220	400	64.5%

<sup>a</sup> In 1997-98, DER significantly increased its number of courses schedule in an attempt to assess interest in vendor-taught courses and accomplish a number of other goals.

Note: Courses held and cancelled are estimated for years prior to 1995-96 because DER data are incomplete.

**Audit Findings: Agency and Audit Assessments of DER's Training Efforts**

28. The audit noted that "[l]ow levels of enrollment not only make it difficult for DER to cover program costs, they also raise questions about the effectiveness of DER's training programs."

In an effort to assess this matter, the LAB interviewed a number of agency training coordinators, who generally indicated the following types of observations:

- The training provided by DER was generally appropriate, especially the state-taught courses. However, concern was expressed over the rate of course cancellations, course costs and the limited applicability of some training to actual agency job duties.

- The high level of course cancellations, particularly with respect to vendor-taught courses, made these offerings through DER "too unreliable" for these courses to be considered a meaningful component of agencies' training programs.

- To meet their employees' training needs, a number of agencies have established their own training programs. These programs make use of university and the technical colleges, professional seminars and conferences, private sector vendors and in-house agency staff.

- DER was perceived as being the most appropriate training provider on such topics as personnel administration and in matters relating to civil service and collective bargaining policies and procedures. However, more generic type training course offerings were perceived as being more effectively offered by individual agency staffs or by private sector vendors who could tailor their course offerings to an agency's specific training needs.

- A number of state agencies have been able to offer vendor-taught courses at fees less than those charged by DER. Agency training representatives indicated that they could often obtain lower course prices by negotiating directly with vendors. While the examples cited in the audit report were from 52% to 65% lower than for DER sponsored classes, the audit noted that many state agencies may not have factored their overhead costs into these rates. Further, larger state agencies generally had sufficient resources and staffing to make it highly cost-effective for them to provide training courses using their own staffs, but smaller agencies may not be able to do that.

- In the 1997-98 fiscal year, DER approximately doubled the number of vendor-taught course offerings in order to compensate for scheduling problems that had occurred during the preceding fiscal year that resulted in a sharp reduction in the number of such courses offered. The audit noted, however, that the number of such vendor-taught courses held did not increase substantially, which in the view of the audit report, suggested "that agencies may have limited interest in DER's vendor-taught courses."

29. Agency training representatives also suggested a number of training coordination and information clearinghouse roles for DER, in lieu of DER's' currently focusing so heavily on the actual provision of training. These suggestions included: (a) maintaining an enhanced Internet site with more current information about training opportunities and resources, including information on training course offerings through other state agencies; (b) publishing a comprehensive state training newsletter with information on training innovations; and (c) providing guidance to agencies, particularly smaller agencies, by acting as a consultant on training development.

30. In addition to these types of general observations cited by some agency training representatives, the audit indicated that DER has not conducted a thorough statewide assessment of specific agency training needs in order to determine its most effective role in providing such services to state government. However, the audit did note that the agency has recently prepared a strategic plan document that addresses some of these types of considerations. As part of the effort to develop that document, DER consulted with a number of state agencies on the training activities they would like to see the Department pursue. Apparently (as reported in the audit), many agencies suggested that DER reduce its role in sponsoring vendor-taught training courses and expand its efforts to coordinate overall training activities.

31. The audit's summary assessment with respect to providing more effective training programs concluded with the following observations about DER's state-taught training course offerings:

- DER believes that the state-taught courses are necessary and should be continued because: (a) they generate necessary program revenue for the training function; and (b) they address certain topics best addressed by state employees who have the necessary subject matter expertise. The current administrative costs of the training function are able to be supported with the revenue generated from such course fees, and without these revenues the training program would be unable to continue as currently structured.

32. The audit's summary observations about DER's vendor-taught courses were that:

- While DER also believes that the revenue generated from vendor-taught courses is necessary to support training functions, the audit points out that in the 1997-98 fiscal years, if these revenues had been eliminated, sufficient revenues would have remained from the state-taught courses to cover other program costs. This is because some of the vendor-taught courses did not generate sufficient revenue to cover their costs and had to be subsidized by revenues from the state-taught courses.

- There appeared to be general agreement among agency training representatives that "DER should eliminate, or significantly reduce, its provision of vendor-taught courses, primarily because agencies can obtain a better price by contracting directly and because the courses can be made more relevant by having agencies work directly with the vendor to tailor courses to best meet their training needs."

#### **DER's General Concerns and Observations**

33. In its response to the audit, DER offered the following observations and noted the following concerns:

34. DER believes that inadequate staffing and funding resources have acted to prevent it from fulfilling many of its statutory training responsibilities. In particular, the agency believes it must coordinate state agency training efforts and evaluate whether or not agencies can meet certain

standards before the Secretary may grant agencies the authority to undertake training activities on their own, it may not easily reduce these activities. Further, the agency believes that it must offer a full complement of state-taught and vendor-taught courses in order to generate sufficient program revenues to support its training administration and coordination activities.

35. DER believes that the elimination of vendor-taught course revenues would deprive them of a potential source of funding that would allow the agency to perform coordination and related tasks that the agency believes it should perform but currently cannot. DER has long argued that it experiences training demands from state agencies for non-revenue producing training services. These include coordination of other agencies' training offerings, the development of statewide bulletins of private sector vendors and the provision of information to aid supervisors and managers in their responsibilities.

36. In DER's response to the audit findings, it indicated a belief that the agency's proper training role should be two-fold in nature:

- To provide instruction in those areas which are within the statutory mission of DER, such a basic supervisory development, advanced labor management training, state employe recruitment and selection processes and compensation administration and classification surveying activities.

- To coordinate state training activities by performing those functions that only a centralized entity can do effectively, such as conducting statewide assessments of specific agency training needs, developing courses in such areas of core skills and advanced management supervision, developing methods of consolidating training programs and improving the marketing of training activities.

37. To accomplish these ends, DER cited the need for increased spending flexibility with respect to its current PR-supported training activities. Presumably, this would include providing additional expenditure authority to the employe development and training appropriation. [However, if additional course revenues would not be forthcoming and available program balances were insufficient to cover the additional expenditures, such additional expenditures would result in an unsupported loan from the general fund.]

38. DER also believes that a small amount of GPR "foundation support" would be desirable in order to provide the training program with a stable financial foundation and permit it to undertake a variety of non-revenue generating coordination activities. DER indicates that in the absence of such GPR funding, granting the agency the authority to make an administrative assessment of state agencies to support additional DER coordination efforts would also be feasible.

#### **Legislative Policy and Funding Options Proposed by the LAB 's Training Audit**

39. The LAB's audit of DER's state agency training function suggested three basic alternatives for legislative consideration:

- One approach would be to essentially maintain DER's current training activities for state employees.

- A second approach would be to modify DER's training function by placing more emphasis on a role of coordinating state-sponsored training activities.

- A third approach would be to eliminate most of DER's training responsibilities and have state agencies play larger roles in identifying training needs and directly providing employee training activities.

#### *Maintain DER's Current Training Role*

40. In discussing this option, the LAB observed that: (a) state agencies know that DER is a provider of certain basic courses such as supervisory training, and understand the procedures needed to select and enroll their employees in DER's courses; (b) as a centralized source of training, DER can provide uniform and consistent course content that can be important in ensuring that employees receive a basic set of skills; and (c) agency training representatives generally view the training directly provided by DER to be adequate.

41. If the Committee believes it desirable to maintain the current training function program, it could provide the additional funding of \$57,000 PR in 1999-00 and \$68,900 PR in 2000-01 recommended by the Governor for anticipated costs increases in the agency's employee development and training function. Under the Governor's recommendation, these funds would be placed in unallotted reserve for release by DOA, contingent upon DER demonstrating to DOA that the demand for training courses and the associated revenues raised would be sufficient to support the higher expenditure authority provided.

42. However, the Committee could modify the Governor's recommendation by placing the additional funding in the Committee's PR appropriation for release to DER by the Committee contingent upon DER demonstrating that the demand for training courses and the associated revenues raised would be sufficient to support the higher expenditure authority provided.

43. Further, the Committee may wish to address DER's request to the Committee that \$28,300 PR be provided in 1999-00 to fund the remaining four months of salary and fringe benefits for the one-year project position authorized by the Committee at its September, 1998, meeting under s. 13.10 of the statutes. The funding necessary to support these costs has already been provided DER through grant funds received from three separate state agencies. If the Committee acts to continue some form of training function under DER, it may wish to provide this additional funding on a one-time basis. Such an action would be consistent with the Committee's earlier action under s. 13.10.

#### *Place Emphasis on Coordinating State-Sponsored Training Activities*

44. The audit noted that because DER plays only a small role in most agencies' training activities, the Department's role could be changed to emphasize coordination of those training



activities that agencies are currently providing. The audit suggested such coordination efforts might include having DER: (a) assist agencies in selecting vendors; (b) serve as a clearinghouse of training availability by monitoring the training scheduled by state agencies; and (c) develop strategies for evaluating vendor-taught courses.

45. In its suggestions regarding this approach, the audit was not specific on how the increased coordination role in state training activities would be juxtaposed with all of DER's current training activities. The audit also was not explicit in whether it was envisioned that DER would continue to be responsible for authorizing state agencies' provision of training programs (whether agency-conducted or provided by some other entity) under such a coordinative role. The audit did suggest, however, that under this type of alternative it would probably be necessary for DER to have alternative funding sources to support these coordination activities for which no separate revenue stream (such as assessment of a fee on training course participants) would be available.

46. A general alternative that could be proposed under this type of approach would be the following:

47. The Committee could create new statutory provisions to: (a) require that the Secretary of DER be responsible for coordinating each state agency's development of a biennial strategic training plan for the agency to be submitted along the agency's biennial budget request; (b) direct the Secretary of DER to create within DER a training information clearinghouse to assist state agencies in the provision of training to their employees; (c) authorize the Secretary of DER to appoint a State Training Council to advise the Department and other state agencies on desirable training activities for state employees; (d) authorize DER to directly provide such training courses for state employees as it deems appropriate relating to state employment relations matters including such courses as basic supervisory training and labor management courses and assess participants a fee for such courses.

48. Further, the Committee could, as a part of the shift of the focus in DER's training activities to a more coordinative role, repeal the following current statutory provisions: (a) the requirement that DER must authorize state agencies' provision of training courses to its employees; (b) the requirement that DER must develop a standardized system that state agencies must use for collecting information on their employees' participation in training programs; (c) the requirement that agencies certify to DER certain information about each training program that an agency wishes to initiate; and (d) the statutory authorization for DER to offer non-DER delivered training programs and charge participants fees for participation in such programs.

49. Finally, under this alternative, total expenditure authority under the bill could be reduced by \$118,600 PR in 1999-00 and \$134,300 PR in 2000-01 to reflect the elimination of vendor-taught course offerings and other course offerings that would now not be a part of the agency's new training coordinator role.

50. The audit also suggested that under an alternative where DER's training role would be limited largely to coordination activities, that alternative funding resources would be required to

support the additional coordination efforts for which no revenue stream would be available to support these activities. Under this enhanced coordination role, the Committee could provide \$37,500 GPR in 1999-00 and \$46,300 GPR in 2000-01 and authorize 1.0 GPR training officer position to develop the agency's coordination effort, including assisting agencies in developing their biennial strategic information clearinghouse.

#### *Eliminate DER's Training Responsibilities*

51. Finally, the audit suggested a third approach under which the Legislature could transfer most state employe training responsibilities from DER to the individual state agencies and make each agency responsible for developing and delivering its own training needs. Under this option, the Committee could include language deleting DER's current state employe training functions and responsibilities under s. 230.046 of the statutes, except for the Department's general authority to: establish internships to encourage the employment of qualified individuals, establish tuition refund programs to encourage job-related educational development and operate programs designed to encourage the employment of "Wisconsin Works" participants in state government service (the state employe options program).

52. State agencies would continue to be required to provide supervisory training to their classified staff but would have the flexibility to determine how that training or any other type of necessary employe training would be provided.

53. Under this alternative, the Committee could delete \$217,200 PR in 1999-00 and \$227,500 PR in 2000-01 and 1.0 PR position from the bill. The current employe development and training appropriation would be revised to support only the current State Employment Options program, and base level expenditure authority of \$189,800 PR in 1999-00 and \$191,400 PR in 2000-01 would be retained in the bill for that purpose.

### **ALTERNATIVES**

#### **A. Maintain DER's Current Training Role**

1. Approve the Governor's recommendation to provide increased expenditure authority of \$57,000 PR in 1999-00 and \$68,900 PR in 2000-01 for increased costs of DER training activities and place these additional amounts in unallotted reserve for release by DOA contingent upon DER demonstrating that the demand for training courses and the associated revenues raised would be sufficient to support the higher expenditure authority provided.

2. Modify the Governor's recommendation by placing the additional funding in the Committee's PR supplemental appropriation for release by the Committee contingent upon DER demonstrating that the demand for training courses and the associated revenues raised would be sufficient to support the higher expenditure authority provided.

[Alternative A3 may be adopted in addition to either Alternatives A1 or A2.]

3. Provide \$28,300 PR in 1999-00 to fund the remaining four months of salary and fringe benefits costs of a one-year project position authorized by the Committee for DER's training function at the Committee's September, 1998, meeting under s. 13.10 of the statutes.

<b>Alternative A3</b>	<b>PR</b>
1999-01 FUNDING (Change to Bill)	\$28,300

4. Maintain current law.

<b>Alternative A4</b>	<b>PR</b>
1999-01 FUNDING (Change to Bill)	-\$125,900

**B. Place Emphasis on Coordinating State-Sponsored Training Activities**

1. Delete the Governor's recommendation to provide additional funding of \$57,000 PR in 1999-00 and \$68,900 PR in 2000-01. Create new statutory provisions to: (a) require that the Secretary of DER be responsible for coordinating each state agency's development of a biennial strategic training plan for the agency to be submitted along the agency's biennial budget request; (b) direct the Secretary of DER to create within DER a training information clearinghouse to assist state agencies in the provision of training to their employees; (c) authorize the Secretary of DER to appoint a State Training Council to advise the Department and other state agencies on desirable training activities for state employees; (d) authorize DER to directly provide such training courses for state employees as it deems appropriate relating to state employment relations matters, including such courses as basic supervisory training and labor management courses and assess participants a fee for such courses. Repeal the following current statutory provisions: (a) the requirement that DER must authorize state agencies' provision of training courses to its employees; (b) the requirement that DER must develop a standardized system that state agencies must use for collecting information on their employees' participation in training programs; (c) the requirement that agencies certify to DER certain information about each training program that an agency wishes to initiate; and (d) the statutory authorization for DER to offer non-DER delivered training programs and charge participants fees for participation in such programs. Delete an additional \$61,600 PR in 1999-00 and \$65,400 PR in 2000-01 to reflect the elimination of vendor-taught course offerings and other course offerings that are outside of the agency's revised training role. Provide \$37,500 GPR in 1999-00 and \$46,300 GPR in 2000-01 and authorize 1.0 GPR training officer to support DER's new training coordination efforts.

<u>Alternative B2</u>	<u>GPR</u>	<u>PR</u>	<u>TOTAL</u>
1999-01 FUNDING (Change to Bill)	\$83,800	- \$252,900	- \$169,100
2000-01 POSITIONS (Change to Bill)	1.00	0.00	1.00

**C. Eliminate DER's Training Responsibilities**

1. Delete the Governor's recommendation to provide additional funds of \$57,000 PR in 1999-00 and \$68,900 PR in 2000-01. Include statutory language repealing DER's current state employe training functions and responsibilities under s. 230.046 of the statutes except for the Department's general authority to: (a) establish internships to encourage the employment of qualified individuals; (b) establish tuition refund programs to encourage job-related educational development; and (c) operate programs designed to encourage the employment of "Wisconsin Works" participants in state government service. Make each state agency responsible for developing and scheduling its own employe training needs. Require state agencies to provide supervisory training to their classified staff, but authorize them to determine how that training or any other type of necessary employe training would be provided. Further, delete an additional \$217,200 PR in 1999-00 and \$227,500 PR in 2000-01 and 1.0 PR position from the bill. Revise the statutory purpose of the current employe development and training appropriation to provide that it would support only the current state employment options program.

<u>Alternative C1</u>	<u>PR</u>
1999-01 FUNDING (Change to Bill)	- \$570,600
2000-01 POSITIONS (Change to Bill)	- 1.00

Prepared by: Tony Mason

230.147



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0265/1

RAC: King

soon

LFB:.....Mason - Department of employment relations training responsibilities

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 125, line 17: after that line insert:

3 "SECTION 13m. <sup>15.04</sup>~~15.05~~ (1) (h) of the statutes is created to read:

4 <sup>15.04</sup>~~15.05~~ (1) (h) *Training programs.* Provide supervisory training to classified  
5 service supervisors and any other training determined to be required for employes  
6 of the department or independent agency."

7 ✓ 2. Page <sup>466</sup>~~467~~, line <sup>24</sup>~~8~~: after that line insert:

8 "SECTION ~~20.512~~. 20.512 (1) (jm) of the statutes is repealed and recreated to  
9 read:

589t

1           20.512 (1) (jm) *Employment of aid recipients*. The amounts in the schedule for  
2 providing ~~training~~ services under s. 230.147. All moneys received for providing  
3 ~~training~~ services under s. 230.147 shall be credited to this appropriation account.” ✓

4           ✓3. Page 1103, line 15: after that line insert:

5           ⑤           “SECTION 2359<sup>p</sup>. 230.04 (16) of the statutes is created to read:

6           230.04 (16) The secretary shall establish in the classified service in-service  
7 training internships designed to give rigorous training in public service  
8 administration for periods not to exceed 3 years under the direct supervision of  
9 experienced administrators.

10           ⑩           SECTION 2359<sup>q</sup>. 230.04 (17) of the statutes is created to read:

11           230.04 (17) To stimulate the interest of qualified students of exceptional merit  
12 in government career service, the secretary shall cooperate with the board of regents  
13 of the University of Wisconsin System in providing opportunities for recipients of  
14 public service scholarship loans to secure employment under the internship plan.

15           ⑮           SECTION 2359<sup>r</sup>. 230.04 (18) of the statutes is created to read:

16           230.04 (18) The secretary may establish by rule in the classified service a  
17 tuition refund program to supplement agency training, to encourage employe  
18 job-related development and, upon satisfactory completion of training under this  
19 program, to refund to the employe an amount not to exceed the cost of tuition and  
20 necessary fees.

21           . SECTION 2359<sup>u</sup>. 230.046 of the statutes is repealed.”.

22           ✓4. Page 1105, line 13: after that line insert:

23           “SECTION 2367e. 230.28 (1) (am) of the statutes is amended to read:

1           230.28 (1) (am) All probationary periods for employes in supervisory or  
 2 management positions are one year unless waived after 6 months under par. (c). The  
 3 waiver under par. (c) may be exercised for an employe in a supervisory position only  
 4 if the employe has successfully completed the a supervisory development program  
 5 under s. 230.046 (2) offered by the appointing authority. However, persons who  
 6 transfer or are reinstated to supervisory or management positions consistent with  
 7 conditions under sub. (4) and who had previously obtained permanent status in class  
 8 in a supervisory or management position prior to the transfer or reinstatement shall  
 9 serve a probationary period in accordance with sub. (4).

History: 1971 c. 270, 336; 1977 c. 196 ss. 52, 117, 130 (4), (5), 131; 1977 c. 273; Stats. 1977 s. 230.28; 1979 c. 221; 1983 a. 402; 1989 a. 144; 1997 a. 112.

10           **SECTION 2367r.** 233.10 (3) (c) 5. of the statutes is amended to read:

11           233.10 (3) (c) 5. Grant to the carry-over employe the same opportunity for  
 12 employe training provided under s. 230.046, <sup>Keep</sup> ~~(1995)~~ <sup>xt.</sup> stats., as of the last day of his or  
 13 her employment as a state employe if the employe was entitled to those benefits on  
 14 that day.”

History: 1995 a. 27; 1997 a. 252.

15           (END)

A handwritten signature, possibly 'RAT', is written over the text '(1995) stats.'. There are also several large, dark scribbles below the signature.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0265/4 2  
RAC:kmg:km

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run

LFB:.....Mason - Department of employment relations training  
responsibilities

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page 125, line 17: after that line insert:

3 "SECTION 13m. 15.04 (1) (h) of the statutes is created to read:

4 15.04 (1) (h) *Training programs.* Provide supervisory training to classified  
5 service supervisors and any other training determined to be required for employes  
6 of the department or independent agency."

7 2. Page 466, line 24: after that line insert:

8 "SECTION 589t. 20.512 (1) (jm) of the statutes is repealed and recreated to read:

9 20.512 (1) (jm) *Employment of aid recipients.* The amounts in the schedule for  
10 providing services under s. 230.147. All moneys received for providing services  
11 under s. 230.147 shall be credited to this appropriation account."



1           **3.** Page 1103, line 15: after that line insert:

2           **"SECTION 2359p.** 230.04 (16) of the statutes is created to read:

3           230.04 (16) The secretary shall establish in the classified service in-service  
4 training internships designed to give rigorous training in public service  
5 administration for periods not to exceed 3 years under the direct supervision of  
6 experienced administrators.

7           **SECTION 2359q.** 230.04 (17) of the statutes is created to read:

8           230.04 (17) To stimulate the interest of qualified students of exceptional merit  
9 in government career service, the secretary shall cooperate with the board of regents  
10 of the University of Wisconsin System in providing opportunities for recipients of  
11 public service scholarship loans to secure employment under the internship plan.

12           **SECTION 2359r.** 230.04 (18) of the statutes is created to read:

13           230.04 (18) The secretary may establish by rule in the classified service a  
14 tuition refund program to supplement agency training, to encourage employe  
15 job-related development and, upon satisfactory completion of training under this  
16 program, to refund to the employe an amount not to exceed the cost of tuition and  
17 necessary fees.

18           **SECTION 2359u.** 230.046 of the statutes is repealed."

19           **4.** Page 1105, line 13: after that line insert:

20           **"SECTION 2367e.** 230.28 (1) (am) of the statutes is amended to read:

21           230.28 (1) (am) All probationary periods for employes in supervisory or  
22 management positions are one year unless waived after 6 months under par. (c). The  
23 waiver under par. (c) may be exercised for an employe in a supervisory position only  
24 if the employe has successfully completed the a supervisory development program

Insert  
278

18

1 ~~under s. 230.046 (2) offered by the appointing authority.~~ However, persons who  
2 transfer or are reinstated to supervisory or management positions consistent with  
3 conditions under sub. (4) and who had previously obtained permanent status in class  
4 in a supervisory or management position prior to the transfer or reinstatement shall  
5 serve a probationary period in accordance with sub. (4).

6 **SECTION 2367r.** 233.10 (3) (c) 5. of the statutes is amended to read:

7 233.10 (3) (c) 5. Grant to the carry-over employe the same opportunity for  
8 employe training provided under s. 230.046, <sup>✓</sup>1995 stats., as of the last day of his or  
9 her employment as a state employe if the employe was entitled to those benefits on  
10 that day.”

11

(END)

(278) ✓

CS B  
SECTION 2359t. 230.04 (19) of the statutes is

created to read:

230.04 (19) <sup>B</sup> The secretary may provide training

services to persons covered under a plan of action

under s. 230.147 (1) or (2).

(e) Annually, prepare and submit to the governor and the legislature a summary of existing agency affirmative action program accomplishments, including the information obtained from agencies under sub. (10) (b), future goals and recommended actions.

(em) Annually, prepare and submit to the governor and the legislature a summary of the progress being made to provide employment opportunities in civil service for veterans under this chapter, including the information obtained from agencies under sub. (10) (c).

(f) Establish an affirmative action subunit reporting directly to the secretary. The affirmative action subunit shall advise and assist the secretary, the administrator and agency heads on establishing policies and programs to ensure appropriate affirmative action. The subunit shall advise and assist the secretary in monitoring such programs and shall provide staff to the affirmative action council.

(fn) The secretary shall conduct periodic reviews and evaluations of the written records of hiring decisions made by appointing authorities under ss. 230.21 (1m), 230.25 (1p) and 230.27 (2k).

(fr) (a) In this subsection:

1. "Independent" means the extent to which persons with disabilities exert control and choice over their own lives.

2. "Severely disabled employee" means an employee in the classified service with a chronic disability if the chronic disability meets all of the following conditions:

a. It is attributable to a mental or physical impairment or combination of mental and physical impairments.

b. It is likely to continue indefinitely.

c. It results in substantial functional limitations in one or more of the following areas of major life activity: self-care; receptive and expressive language; learning; mobility; capacity for independent living; and economic self-sufficiency.

(b) The secretary shall keep a record of all of the following:

1. The number of severely disabled employees and the percentage of severely disabled employees of the total number of employees in the classified service.

2. The number of severely disabled employees hired in each calendar year and the percentage of severely disabled employees among all persons hired in the classified service in that year.

(10) (a) The secretary may require all agencies and their officers to comply with the secretary's request to furnish current information pertaining to authorized positions, payroll and related items regarding civil service and employment relations functions.

(b) The secretary shall request from each agency and each agency shall furnish to the secretary relevant facial, ethnic, gender and handicap information on every new employee hired by the agency including limited term, project, seasonal and seasonal employees. The secretary shall maintain the data to permit a periodic review of the agency's affirmative action plan accomplishments.

(c) The secretary shall request from each agency and each agency shall furnish to the secretary relevant information regarding the prior military service, if any, of every new employee hired by the agency including limited term, project, seasonal and seasonal employees. The secretary shall maintain the data to permit a periodic review of the progress being made to provide employment opportunities in civil service for veterans and disabled veterans.

(11) The secretary may provide by rule for an understudy program to assure continuity in selected positions.

(12) The secretary shall keep in the office an official roster of all permanent classified employees which shall include classification titles, pay and employment status changes and appropriate dates thereof.

(13) The secretary shall do all of the following:

(a) Establish standards for plans to increase state employment of recipients of aid under s. 49.19 or benefits under s. 49.147 (3)

to (5) prepared by agencies under s. 230.147 (1). The standards shall state the time periods within which these plans shall be prepared.

(b) Review and approve or disapprove plans prepared under s. 230.147 (1) to ensure compliance with the standards established under par. (a).

(c) Monitor, evaluate and make recommendations to agencies to improve progress toward meeting the goal in s. 230.147 (1).

(e) On or before September 30 annually beginning in 1989, prepare and submit to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) a report that includes all of the following information for the fiscal year preceding the date that the report is due:

1. A description of each agency's effort during that fiscal year to employ under s. 230.147 persons who received aid under s. 49.19 or benefits under s. 49.147 (3) to (5).

2. The number of persons receiving aid under s. 49.19 or benefits under s. 49.147 (3) to (5) who were employed by each agency under s. 230.147 during that fiscal year and the job title or classification of each position filled under s. 230.147.

(14) The secretary shall establish, by rule, the scope and minimum requirements of a state employee grievance procedure relating to conditions of employment.

(15) The secretary shall review and either approve or disapprove each determination by an agency head regarding the classification of a state employee as a protective occupation participant for purposes of the Wisconsin retirement system.

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 c. 31, 124; 1991 a. 101, 269, 288, 315; 1993 a. 289; 1997 a. 27

*Agency employee*  
230.046 Training programs. (1) DECLARATION OF POLICY.

In order to promote efficiency and economy in the operation of the state government, to provide means for the development of maximum proficiency by employees thereof, to establish and maintain the highest standards of performance in the transaction of the state's business, and to install and utilize effectively the best modern practices and techniques which have been developed, tested and proved, it is necessary and desirable in the public interest that self-improvement be supplemented and extended by state-sponsored training programs. The objective of these programs is to develop skills, knowledge, and abilities which will best qualify state employees for effective performance of their official duties, and to retain skilled and efficient state employees in order to continually improve the quality of public service.

(2) SUPERVISORY TRAINING. After initial appointment to a supervisory position, the appointing authority shall ensure that each classified service supervisor successfully completes a supervisory development program approved by the secretary. A waiver of any part of the probationary period under s. 230.28 (1) (c) may not be granted before completion of the development program. The program shall include such subjects as state personnel policies, grievance handling, discipline, performance evaluation, understanding the concerns of state employees with children, the supervisor's role in management and the concept of the total quality leadership process, including quality improvement through participatory management.

(3) TRAINING PROGRAMS. *Each* The secretary, pursuant to sub. (5), may authorize appointing authorities to *may*

(a) Provide off-the-job specialized training courses during working hours to designated employees without loss of pay.

(b) Provide specialized training to qualified persons through educational stipends in lieu of pay, but in no event shall a monthly stipend exceed the minimum pay of the position for which training is undertaken.

(c) Provide specialized training to designated employees through assignment to research projects, prescribed courses of study, institutes and short courses which are related to the performance of official duties and to pay the cost of required tuition and other necessary fees and expense in connection therewith.

*Protective occupation review*

*Agency*

*a Supervisor such a*

(d) Conduct on-the-job courses of instruction deemed necessary for the efficient performance of agency functions and to pay honoraria to qualified experts instructing in such courses.

(e) Conduct other training programs consistent with the standards set by this section.

~~(4) RECORDS OF TRAINING PROGRAM PARTICIPATION. Each agency shall adopt a standardized system for measuring, recording, reporting, accumulating and recognizing employee participation in its training program. The system may not take effect until approved by the secretary.~~

~~(5) INITIATION OF PROGRAMS. Unless otherwise empowered by law, any agency desiring to initiate a training program under sub. (3) shall certify to the secretary that:~~

~~(a) Unencumbered appropriated funds are available or funds have been so provided by the joint committee on finance;~~

~~(b) Training costs estimated to exceed \$500, excluding the compensation of participants, have been included in the budget and approved by the legislature or the joint committee on finance, and such costs will be encumbered for training purposes on the records of the agency;~~

~~(c) An agreement has been entered into by the trainee and the appointing authority relative to employment with the state, together with such other terms and conditions as may be necessary under the rules of the secretary when set on the job trainees are employed; and~~

~~(d) The immediate and necessary work requirements of the agency will not be seriously handicapped because of such training program.~~

~~(6) GIFTS AND GRANTS. Nothing in this section shall nullify the acceptance or the special conditions of training programs financed by gifts, grants, bequests and devises from individuals, partnerships, associations, limited liability companies or corporations and all subdivisions from the United States, unless such financing has been refused by the state under s. 16.54 or 20.007.~~

(7) ESTABLISH INTERNSHIPS. The secretary shall establish in the classified service in-service training internships designed to give rigorous training in public service administration for periods not to exceed 3 years under the direct supervision of experienced administrators.

(8) COOPERATE FOR SCHOLARSHIP LOANS. To stimulate the interest of qualified students of exceptional merit in government career service, the secretary shall cooperate with the board of regents of the university of Wisconsin system in providing opportunities for recipients of public service scholarship loans to secure employment under the internship plan.

(9) TUITION REFUND PROGRAM. The secretary may establish by rule in the classified service a tuition refund program to supplement departmental training, to encourage employee job-related development and, upon satisfactory completion of training under this program to refund to the employe, an amount not to exceed the cost of tuition and necessary fees.

(10) DEPARTMENT FUNCTIONS. (a) In this subsection, "local governmental unit" means a political subdivision of this state, a special purpose district in this state, an agency or corporation of such a political subdivision or special purpose district, or a combination or subunit of any of the foregoing.

(b) The department may do all of the following:

1. Conduct off-the-job employe development and training programs and in cooperation with the appointing authorities shall coordinate state-sponsored employe development training programs.

2. Offer employe development and training programs under subd. 1. to employes of local governmental units, if the employes of the local governmental units are enrolled only as space is available and the local governmental units pay the same fees for the program as are charged for state employes.

3. Charge fees to state agencies and local governmental units whose employes participate in employe development and training programs under this subsection.

~~(11) RULES. The secretary shall promulgate rules for the implementation of this section.~~

~~History: 1971 c. 100 s. 23; 1971 c. 270 ss. 36, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732 (1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130 (4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1983 s. 29; 1989 s. 31; 1993 s. 112.~~

230.047 Temporary interchange of employes. (1) DECLARATION OF POLICY. Intergovernmental cooperation, including that specified in the intergovernmental personnel act of 1970, P.L. 91-648, 84 Stat. 1909, is an essential factor in resolving problems affecting this state. The interchange of personnel on a temporary basis between and among governmental agencies at the same or different levels of government and with institutions of higher education is a significant factor in achieving such cooperation.

(2) DEFINITIONS. For the purposes of this section:

(a) "Local government" means any political subdivision, instrumentality or authority of a state or any general or special purpose agency of such a political subdivision, instrumentality or authority.

(b) "Receiving agency" means any department or agency of a foreign government, the federal government or a state or local government, an institution of higher education or other municipal corporate agency which receives an employe of another agency under this section.

(c) "Sending agency" means any department or agency of a foreign government, the federal government or a state or local government, an institution of higher education or other municipal corporate agency which sends any employe thereof to another agency under this section.

(3) AUTHORITY TO INTERCHANGE EMPLOYES. Any department, agency or instrumentality of the state, or institution of higher education or any local government or other municipal corporate agency is authorized to participate in a program of interchange of employes with departments, agencies or instrumentalities of a foreign government, the federal government, another state or local government, an institution of higher education, other municipal corporate agencies or other agencies or instrumentalities of this state as a sending or receiving agency.

(4) STATUS OF EMPLOYES. (a) Employes of a sending agency participating in an exchange of personnel as authorized in sub. (3), during such participation, are on detail to regular work assignments of the receiving agency.

(b) Employes who are on detail are entitled to the same salary and benefits to which they would otherwise be entitled and shall remain employes of the sending agency for all purposes, including the payment of their salaries, and their continuous service benefits except that the supervision of their duties during the period of detail may be governed by agreement between the sending agency and the receiving agency, and except that a receiving agency other than a receiving agency of this state may provide supplemental salary and benefits to the employe for the duration of the interchange.

(c) Any employe who participates in an exchange under the terms of this section who suffers disability or death as a result of personal injury arising out of and in the course of an exchange, or sustained in performance of duties in connection therewith, for the purposes of ch. 102, is an employe of the sending agency.

(5) TRAVEL EXPENSES OF EMPLOYES. A sending agency of the state shall not pay the travel expenses of its employes incurred in connection with their work assignments at the receiving agency.

(6) STATUS OF EMPLOYES OF OTHER GOVERNMENTS. (a) When any department, agency or instrumentality of this state acts as a receiving agency, employes of the sending agency who are assigned under authority of this section are on detail to the receiving agency.



State of Wisconsin  
1999 - 2000 LEGISLATURE

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RM has been  
run

LFB:.....Mason - Department of employment relations training responsibilities

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page 125, line 17: after that line insert:

3 "SECTION 13m. 15.04 (1) (h) of the statutes is created to read:

4 15.04 (1) (h) *Training programs.* Provide supervisory training to classified  
5 service supervisors and any other training determined to be required for employes  
6 of the department or independent agency."

7 2. Page 466, line 24: after that line insert:

8 "SECTION 589t. 20.512 (1) (jm) of the statutes is repealed and recreated to read:

9 20.512 (1) (jm) *Employment of aid recipients.* The amounts in the schedule for  
10 providing services under s. 230.147. All moneys received for providing services  
11 under s. 230.147 shall be credited to this appropriation account."

1           **3.** Page 1103, line 15: after that line insert:

2           “**SECTION 2359p.** 230.04 (16) of the statutes is created to read:

3           230.04 (16) The secretary shall establish in the classified service in-service  
4 training internships designed to give rigorous training in public service  
5 administration for periods not to exceed 3 years under the direct supervision of  
6 experienced administrators.

7           **SECTION 2359q.** 230.04 (17) of the statutes is created to read:

8           230.04 (17) To stimulate the interest of qualified students of exceptional merit  
9 in government career service, the secretary shall cooperate with the board of regents  
10 of the University of Wisconsin System in providing opportunities for recipients of  
11 public service scholarship loans to secure employment under the internship plan.

12           **SECTION 2359r.** 230.04 (18) of the statutes is created to read:

13           230.04 (18) The secretary may establish by rule in the classified service a  
14 tuition refund program to supplement agency training, to encourage employe  
15 job-related development and, upon satisfactory completion of training under this  
16 program, to refund to the employe an amount not to exceed the cost of tuition and  
17 necessary fees.

18           **SECTION 2359t.** 230.04 (19) of the statutes is created to read:

19           230.04 (19) The secretary may provide training services to persons covered  
20 under a plan of action under s. 230.147 (1) or (2).

21           **SECTION 2359u.** 230.046 of the statutes <sup>(4) to (11)</sup> ~~is~~ <sup>are</sup> repealed.”

22           **4.** Page 1105, line 13: after that line insert:

23           “**SECTION 2367e.** 230.28 (1) (am) of the statutes is amended to read:

Insert 2-20 ✓

1           230.28 (1) (am) All probationary periods for employes in supervisory or  
2 management positions are one year unless waived after 6 months under par. (c). The  
3 waiver under par. (c) may be exercised for an employe in a supervisory position only  
4 if the employe has successfully completed the a supervisory development program  
5 under s. 230.046 (2) offered by the appointing authority. However, persons who  
6 transfer or are reinstated to supervisory or management positions consistent with  
7 conditions under sub. (4) and who had previously obtained permanent status in class  
8 in a supervisory or management position prior to the transfer or reinstatement shall  
9 serve a probationary period in accordance with sub. (4).

10           **SECTION 2367r.** 233.10 (3) (c) 5. of the statutes is amended to read:

11           233.10 (3) (c) 5. Grant to the carry-over employe the same opportunity for  
12 employe training provided under s. 230.046, 1995 stats., as of the last day of his or  
13 her employment as a state employe if the employe was entitled to those benefits on  
14 that day.”

15

(END)

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1999-2000 DRAFTING INSERT  
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**Insert 2-20:**

**SECTION 2359tc.** 230.046 ~~of~~ (title) of the statutes is amended to read:

**230.046** (title) **Training Agency training programs.**

History: 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732(1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130(4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112.

**SECTION 2359te.** 230.046 (1) of the statutes is amended to read:

**230.046 (1) DECLARATION OF POLICY.** In order to promote efficiency and economy in the operation of the state government, to provide means for the development of maximum proficiency by employes thereof, to establish and maintain the highest standards of performance in the transaction of the state's business, and to install and utilize effectively the best modern practices and techniques which have been developed, tested and proved, it is necessary and desirable in the public interest that self-improvement be supplemented and extended by ~~state-sponsored~~ agency training programs. The objective of these programs is to develop skills, knowledge, and abilities which will best qualify state employes for effective performance of their official duties, and to retain skilled and efficient state employes in order to continually improve the quality of public service.

History: 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732(1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130(4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112.

**SECTION 2359ti.** 230.046 (2) of the statutes is amended to read:

**230.046 (2) SUPERVISORY TRAINING.** After initial appointment to a supervisory position, the each appointing authority shall ensure that each classified service supervisor successfully completes a supervisory development program ~~approved by the secretary~~. A waiver of any part of the probationary period under s. 230.28 (1) (c) may not be granted before completion of the development program. The program shall include such subjects as state personnel policies, grievance handling,

discipline, performance evaluation, understanding the concerns of state employees with children, the supervisor's role in management and the concept of the total quality leadership process, including quality improvement through participatory management.

**History:** 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732 (1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130 (4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112.

**SECTION 2359to.** 230.046 (3) (intro.) of the statutes is amended to read:

230.046 (3) TRAINING PROGRAMS. (intro.) ~~The secretary, pursuant to sub. (5), may authorize~~ Each appointing authority to authority may do any of the following:

**History:** 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732 (1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130 (4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112.

**SECTION 2359tr.** 230.046 (3) (b) of the statutes is repealed.

~~SECTION 2359ty.~~ → *INS. 2-KA*

**SECTION 2359ty.** 230.046 (3) (d) of the statutes is amended to read:

230.046 (3) (d) Conduct on-the-job courses of instruction deemed necessary for the efficient performance of agency functions ~~and to pay honorariums to qualified experts instructing in such courses.~~

**History:** 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732 (1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130 (4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112.

**1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

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**INSERT 2-KA**

**SECTION 2359tv.** 230.046 (3) (c) of the statutes is amended to read:

230.046 (3) (c) Provide specialized training to designated employes through assignment to research projects, prescribed courses of study, institutes and short courses which are related to the performance of official duties, and to pay the cost of required tuition and other necessary fees and expense in connection therewith.

History: 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732 (1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130 (4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0265/3  
RAC:kmg:km

LFB:.....Mason - Department of employment relations training  
responsibilities

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 466, line 24: after that line insert:

3 “SECTION 589t. 20.512 (1) (jm) of the statutes is repealed and recreated to read:

4 20.512 (1) (jm) *Employment of aid recipients.* The amounts in the schedule for  
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18 **230.046 (title) Training Agency training programs.**

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23 standards of performance in the transaction of the state's business, and to install and  
24 utilize effectively the best modern practices and techniques which have been  
25 developed, tested and proved, it is necessary and desirable in the public interest that

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25 required tuition and other necessary fees and expense in connection therewith.

