

1 **SECTION 135.** 230.12 (3) (e) 2. of the statutes is amended to read:

2 230.12 (3) (e) 2. The ~~director~~ administrator, after receiving recommendations
3 from the board of the Technical College System, shall submit to the joint committee
4 on employment relations a proposal for adjusting compensation and employee
5 benefits for employees under s. 20.923 (7). The proposal shall include the salary
6 ranges and adjustments to the salary ranges for the general senior executive salary
7 groups established under s. 20.923 (7). Paragraph (b) and sub. (1) (bf) shall apply
8 to the process for approval of all pay adjustments for such employees. The proposal
9 as approved by the joint committee on employment relations and the governor shall
10 be based upon a percentage of the budgeted salary base for such employees under s.
11 20.923 (7).

12 **SECTION 136.** 230.12 (4) of the statutes is amended to read:

13 230.12 (4) COMPENSATION PLAN IMPLEMENTATION PROVISIONS. (a) When an
14 approved compensation plan or an amendment thereto becomes effective, required
15 individual pay adjustments shall be made in accordance with determinations made
16 by the ~~director~~ administrator to implement the approved plan.

17 (b) The ~~director~~ administrator may, without prior approval of the joint
18 committee on employment relations, determine the circumstances under which it is
19 appropriate for an appointing authority to grant, and authorize an appointing
20 authority to grant, a general wage or parity adjustment, or appropriate portion
21 thereof, previously approved by the committee under this section to employees who
22 did not receive the adjustment on the effective date of the adjustment set forth in the
23 plan. No general wage or parity adjustment may become effective for any employee
24 prior to the effective date of the individual employee transaction, but the ~~director~~
25 administrator may authorize an appointing authority to grant a lump sum payment

1 to an employee to reflect any wage or parity adjustment that the employee did not
2 receive during the period between the effective date of the adjustment set forth in the
3 plan and the effective date of the individual employee transaction.

4 **SECTION 137.** 230.12 (5) (c) of the statutes is amended to read:

5 230.12 (5) (c) *Increase limits.* Unless otherwise defined in the pay schedule the
6 total amount for all such within range increases shall not exceed the amount for such
7 increases specified and approved by the joint committee on employment relations in
8 its action on the ~~director's~~ administrator's proposal for such increases.

9 **SECTION 138.** 230.12 (7m) of the statutes is amended to read:

10 230.12 (7m) PAY ADJUSTMENT FILING REQUIREMENTS. Except as provided in the
11 rules of the ~~director~~ administrator and in the compensation plan, pay increases shall
12 be made only on the dates prescribed under sub. (8). Appointing authorities shall at
13 such times each year as specified by the secretary file with the ~~director~~ administrator
14 and with the secretary of administration a list of employees showing their then
15 existing pay rates and their proposed new pay rates.

16 **SECTION 139.** 230.12 (9) of the statutes is amended to read:

17 230.12 (9) HEALTH INSURANCE PREMIUM CREDITS. The ~~director~~ administrator may
18 recommend to the joint committee on employment relations a program,
19 administered by the department of employee trust funds, that provides health
20 insurance premium credits to employees whose compensation is established under
21 this section or s. 20.923 (2) or (3). The health insurance premium credits shall be
22 used for the purchase of health insurance for a retired employee, or the retired
23 employee's surviving insured dependents; for an eligible employee under s. 40.02
24 (25) (b) 6e., or the eligible employee's surviving insured dependents; for an employee
25 who is laid off, but who is not on a temporary, school year, seasonal, or sessional

1 layoff, and his or her surviving insured dependents; and for the surviving insured
2 dependents of an employee who dies while employed by the state, and shall be based
3 on the employee's years of continuous service, accumulated unused sick leave and
4 any other factor recommended by the director. Credits granted under the program
5 to an employee who is laid off shall be available until the credits are exhausted, the
6 employee is reemployed by the state, or 5 years have elapsed from the date of layoff,
7 whichever occurs first. The approval process for the program is the same as that
8 provided under sub. (3) (b) and the program shall be incorporated into the
9 compensation plan under sub. (1).

10 **SECTION 140.** 230.14 (4) of the statutes is amended to read:

11 230.14 (4) ~~The administrator~~ director may charge an agency a fee to announce
12 any vacancy to be filled in a classified or unclassified position in that agency. Funds
13 received under this subsection shall be credited to the appropriation account under
14 s. ~~20.545 (1) (ka)~~ 20.505 (1) (kn).

15 **SECTION 141.** 230.147 (3) of the statutes is amended to read:

16 230.147 (3) Notwithstanding subs. (1) and (2), the state fair park board shall
17 make every reasonable effort to employ in permanent full-time equivalent positions
18 persons who, at the time determined under sub. (4), receive aid under s. 49.19 or
19 benefits under s. 49.147 (3) to (5). The state fair park board shall consult with the
20 ~~office~~ division to assure that its efforts under this subsection comply with ch. 230.

21 **SECTION 142.** 230.15 (1) of the statutes is amended to read:

22 230.15 (1) Subject to the restriction under s. 230.143, appointments to, and
23 promotions in, the classified service shall be made only according to merit and
24 fitness, which shall be ascertained so far as practicable by competitive examination.
25 The ~~administrator~~ director may waive competitive examination for appointments

1 made under subs. (1m) and (2) and shall waive competitive examination for
2 appointments made under sub. (2m).

3 **SECTION 143.** 230.15 (1m) (b) (intro.) of the statutes is amended to read:

4 230.15 (1m) (b) (intro.) Whenever a position is included in the classified service
5 under par. (a), the ~~director~~ administrator shall determine all of the following:

6 **SECTION 144.** 230.15 (1m) (c) of the statutes is amended to read:

7 230.15 (1m) (c) 1. Whenever a position is included in the classified service
8 under par. (a), the ~~administrator~~ director may waive the requirement for competitive
9 examination under sub. (1) with respect to the position and certify the incumbent
10 employee for appointment to the position in accordance with subd. 2.

11 2. The ~~administrator~~ director may certify an incumbent employee as eligible
12 for appointment under subd. 1. if the ~~administrator~~ director determines on the basis
13 of sound personnel management practices that the incumbent is qualified for the
14 position included in the classified service.

15 3. If an employee is appointed after being certified under subd. 2., the
16 ~~administrator~~ director shall determine the employee's probationary status under s.
17 230.28, except that the employee shall receive credit toward his or her probationary
18 period for the time that the employee had been employed in the position immediately
19 prior to appointment.

20 **SECTION 145.** 230.15 (2) of the statutes is amended to read:

21 230.15 (2) If a vacancy occurs in a position in the classified service when
22 peculiar and exceptional qualifications of a scientific, professional, or educational
23 character are required, and if presented with satisfactory evidence that for specified
24 reasons competition in such special cases is impracticable, and that the position can
25 best be filled by the selection of some designated person of high and recognized

1 attainments in such qualities, the ~~administrator~~ director may waive competition
2 requirements unless the vacancy is to be filled by promotion.

3 **SECTION 146.** 230.15 (2m) of the statutes is amended to read:

4 230.15 (2m) If a vacancy occurs in a position in the classified service and the
5 ~~administrator~~ director is notified by an appointing authority that the position is to
6 be filled by a disabled veteran under s. 230.275, the ~~administrator~~ director shall
7 waive all competition requirements for filling the position.

8 **SECTION 147.** 230.16 (1) (a) of the statutes is amended to read:

9 230.16 (1) (a) The ~~administrator~~ director shall require persons applying for
10 admission to any examination under this subchapter or under the rules of the
11 ~~administrator~~ director to file an application with the ~~division~~ bureau a reasonable
12 time prior to the proposed examination.

13 **SECTION 148.** 230.16 (1) (am) of the statutes is amended to read:

14 230.16 (1) (am) The ~~administrator~~ director may require in connection with the
15 application such supplementary work history, educational transcripts, statements
16 of physicians or others having knowledge of the applicant, as needed for qualification
17 evaluations.

18 **SECTION 149.** 230.16 (1) (b) of the statutes is amended to read:

19 230.16 (1) (b) The ~~division~~ bureau shall furnish application forms without
20 charge to all persons requesting them.

21 **SECTION 150.** 230.16 (2) of the statutes is amended to read:

22 230.16 (2) Competitive examinations shall be free and open to all applicants
23 who have fulfilled the preliminary requirements stated in the examination
24 announcement. To assure that all applicants have a fair opportunity to compete,
25 examinations shall be held at such times and places as, in the judgment of the

1 ~~administrator~~ director, most nearly meet the convenience of applicants and needs of
2 the service.

3 **SECTION 151.** 230.16 (3) of the statutes is amended to read:

4 230.16 (3) The ~~administrator~~ director may appoint boards of examiners of at
5 least 2 persons for the purpose of conducting oral examinations as a part of the
6 examination procedure for certain positions. All board members shall be
7 well-qualified and impartial. All questions asked and answers made in any
8 examination of applicants shall be recorded and made a part of the records of the
9 applicants.

10 **SECTION 152.** 230.16 (5) of the statutes is amended to read:

11 230.16 (5) In the interest of sound personnel management, consideration of
12 applicants and service to agencies, the ~~administrator~~ director may set a standard for
13 proceeding to subsequent steps in an examination, provided that all applicants are
14 fairly treated and due notice has been given. The standard may be at or above the
15 passing point set by the ~~administrator~~ director for any portion of the examination.
16 The ~~administrator~~ director shall utilize appropriate scientific techniques and
17 procedures in administering the selection process, in rating the results of
18 examinations and in determining the relative ratings of the competitors.

19 **SECTION 153.** 230.16 (6) of the statutes is amended to read:

20 230.16 (6) If any applicant is unable to complete the examination in the form
21 presented to the applicant due to a disability, the ~~division~~ bureau shall provide a
22 reader, an appropriate place to take the examination or other similar prerequisites
23 to ensure equality of opportunity in the examination.

24 **SECTION 154.** 230.16 (7m) (b) (intro.) of the statutes is amended to read:

1 230.16 (7m) (b) (intro.) The ~~office~~ division shall accept an application after its
2 due date from a veteran if all of the following apply:

3 **SECTION 155.** 230.16 (7m) (c) of the statutes is amended to read:

4 230.16 (7m) (c) Within 30 days after acceptance of an application under par.
5 (b), the ~~office~~ division shall give the applicant an examination.

6 **SECTION 156.** 230.16 (9) of the statutes is amended to read:

7 230.16 (9) The officials in control of state, municipal and county buildings,
8 upon requisition by the ~~administrator~~ director, shall furnish without charge
9 adequate rooms and building services for the administration of examinations.

10 **SECTION 157.** 230.16 (11) of the statutes is amended to read:

11 230.16 (11) Records of examinations, including a transcript or recorded tape
12 of oral examinations, given under this subchapter shall be retained for at least one
13 year. Inspection of such records shall be regulated by rules of the ~~administrator~~
14 director.

15 **SECTION 158.** 230.17 of the statutes is amended to read:

16 **230.17 Applicants and eligibles may be barred; bonds may be required.**

17 (1) The ~~administrator~~ director shall provide by rule, the conditions, not otherwise
18 provided by law, under which an applicant may be refused examination or
19 reexamination, or an eligible refused certification. These conditions shall be based
20 on sufficient reason and shall reflect sound technical personnel management
21 practices and those standards of conduct, deportment and character necessary and
22 demanded to the orderly, efficient and just operation of the state service.

23 (2) If the ~~administrator~~ director refuses to examine an applicant, or after an
24 examination to certify an eligible, as provided in this section, the ~~administrator~~
25 director, if requested by the applicant so rejected within 10 days of the date of receipt

1 of the notice of rejection, shall give the applicant a full and explicit statement of the
2 exact cause of such refusal to examine or to certify. Applicants may appeal to the
3 commission the decision of the ~~administrator~~ director to refuse to examine or certify
4 under s. 230.44 (1) (a). Upon request of an applicant or an eligible for a civil service
5 position who has a disability, the department of health services shall obtain from the
6 ~~administrator~~ director a detailed description of all duties entailed by such position
7 and shall determine and report its findings to the ~~administrator~~ director, as to the
8 ability of the applicant, or eligible, to perform the duties of such position. Such
9 findings shall be conclusive as to the qualifications of any applicant, or eligible, so
10 examined. A notice of rejection shall notify an applicant or eligible of his or her rights
11 under this subsection.

12 (3) When any position to be filled involves fiduciary responsibility, the
13 appointing authority shall conduct a criminal history background check before
14 offering employment to an applicant for the position. If otherwise permitted by law,
15 the appointing authority may require the appointee to furnish bond or other security,
16 and shall notify the ~~administrator~~ director of the amount and other details thereof.
17 Any surety company authorized to do business in this state shall be a sufficient
18 security on any such bond.

19 SECTION 159. 230.18 of the statutes is amended to read:

20 **230.18 Discrimination prohibited.** No question in any form of application
21 or in any examination may be so framed as to elicit information concerning the
22 partisan political or religious opinions or affiliations of any applicant nor may any
23 inquiry be made concerning such opinions or affiliations and all disclosures thereof
24 shall be discountenanced except that the ~~administrator~~ director may evaluate the
25 competence and impartiality of applicants for positions such as clinical chaplain in

1 a state institutional program. No discriminations may be exercised in the
2 recruitment, application, examination or hiring process against or in favor of any
3 person because of the person's political or religious opinions or affiliations or because
4 of age, sex, disability, race, color, sexual orientation, national origin or ancestry
5 except as otherwise provided.

6 **SECTION 160.** 230.19 (1) of the statutes is amended to read:

7 230.19 (1) The ~~administrator~~ director shall provide employees with reasonable
8 opportunities for career advancement, within a classified service structure designed
9 to achieve and maintain a highly competent work force, with due consideration given
10 to affirmative action.

11 **SECTION 161.** 230.19 (2) of the statutes is amended to read:

12 230.19 (2) If, in the judgment of the ~~administrator~~ director, the group of
13 applicants best able to meet the requirements for vacancies in positions in the
14 classified service are available within the classified service, the vacancies shall be
15 filled by competition limited to persons in the classified service who are not employed
16 under s. 230.26 or 230.27 and persons with the right of restoration resulting from
17 layoff under s. 230.34 (2), unless it is necessary to go outside the classified service to
18 be consistent with an approved affirmative action plan or program. The
19 ~~administrator~~ director may also limit competition for promotion to the employees of
20 an agency or an employing unit within an agency if the resulting group of applicants
21 would fairly represent the proportion of members of racial and ethnic, gender or
22 disabled groups in the relevant labor pool for the state.

23 **SECTION 162.** 230.21 (1) of the statutes is amended to read:

1 230.21 (1) Subject to s. 230.275, the ~~administrator~~ director may, to meet the
2 needs of the service, establish separate recruitment, examination and certification
3 procedures for filling positions in unskilled labor and service classes.

4 **SECTION 163.** 230.21 (1m) (a) (intro.) of the statutes is amended to read:

5 230.21 (1m) (a) (intro.) If the ~~administrator~~ director uses the method of random
6 certification to determine which applicants for an unskilled labor or service position
7 will receive further consideration for the position, the ~~administrator~~ director shall
8 do all of the following:

9 **SECTION 164.** 230.21 (1m) (b) of the statutes is amended to read:

10 230.21 (1m) (b) If the ~~administrator~~ director uses the method of random
11 certification to determine which applicants for an unskilled labor or service position
12 will receive further consideration for the position and the appointing authority does
13 not select a veteran or a person the hiring of whom would serve affirmative action
14 purposes, the appointing authority shall make and retain a written record of the
15 appointing authority's reasons for selecting the person who was appointed. The
16 appointing authority shall make the written records available to the ~~office~~ division
17 and annually submit a report to the ~~office~~ division summarizing the reasons
18 contained in the written records.

19 **SECTION 165.** 230.21 (2) of the statutes is amended to read:

20 230.21 (2) The ~~administrator~~ director may designate classifications in which
21 applicants are in critically short supply and may develop such recruitment,
22 examination and certification processes as will provide agencies with prompt
23 certification when qualified applicants can be found, provided that due notice has
24 been given and proper competitive standards have been maintained.

25 **SECTION 166.** 230.21 (3) of the statutes is amended to read:

1 230.21 (3) The ~~administrator~~ director shall designate classifications in prison
2 industries in the department of corrections as critical positions requiring expeditious
3 hiring and shall develop such recruitment, examination and certification processes
4 as will provide the department with prompt certification when qualified applicants
5 can be found, provided that due notice has been given and proper competitive
6 standards have been maintained.

7 **SECTION 167.** 230.213 of the statutes is amended to read:

8 **230.213 Affirmative action procedures for corrections positions.** The
9 ~~administrator~~ director may, to meet affirmative action objectives, establish such
10 recruitment, examination and certification procedures for positions in the
11 department of corrections as will enable the department of corrections to increase the
12 number of employees of a specified gender or a specified racial or ethnic group in
13 those positions. The ~~administrator~~ director shall design the procedures to obtain a
14 work force in the department of corrections that reflects the relevant labor pool. The
15 ~~administrator~~ director may determine the relevant labor pool from the population
16 of the state or of a particular geographic area of the state, whichever is more
17 appropriate for achieving the affirmative action objective.

18 **SECTION 168.** 230.215 (3) (a) of the statutes is amended to read:

19 230.215 (3) (a) An agency may, with the approval of the ~~director~~ administrator
20 and with the approval of the secretary of administration under s. 16.50, restructure
21 budgeted permanent positions as such positions become vacant or if an employee
22 voluntarily requests a job-sharing or permanent part-time employment
23 opportunity. No employee occupying a full-time permanent position may be
24 involuntarily terminated, demoted, transferred or reassigned in order to restructure
25 that position for permanent part-time employment and no such employee may be

1 required to accept a permanent part-time position as a condition of continued
2 employment.

3 **SECTION 169.** 230.215 (3) (b) of the statutes is amended to read:

4 230.215 (3) (b) If the ~~director~~ administrator, upon review of the report
5 submitted under sub. (4), determines that an agency's past or proposed actions
6 relating to permanent part-time employment opportunities do not adequately
7 reflect the policy under sub. (1) (e), the ~~director~~ administrator may recommend
8 procedures designed to enable the agency to effect such policy.

9 **SECTION 170.** 230.215 (4) of the statutes is amended to read:

10 230.215 (4) REPORTS. Each agency, in complying with s. 15.04 (1) (d), shall
11 include a report on the progress or failure of the plans of such agency in achieving
12 the policies stated under sub. (1) and shall submit a copy of such report to the ~~director~~
13 administrator.

14 **SECTION 171.** 230.22 of the statutes is amended to read:

15 **230.22 Entry professional selection.** (1) The ~~director~~ administrator may
16 establish by rule an entry professional class program for use in a wide range of entry
17 professional positions.

18 (2) In connection with this program the ~~director~~ administrator may establish
19 separate classifications and corresponding pay provisions to provide agencies an
20 entry professional program, through which they can compete on campuses and in the
21 labor market for the best available applicants.

22 (3) Subject to s. 230.275, the ~~administrator~~ director may establish separate
23 recruitment, evaluation and certification procedures for certain entry professional
24 positions. Vacancies in entry professional positions may be limited to persons with

1 a degree from an institution of higher education, as defined in s. 108.02 (18), or a
2 degree under an associate degree program, as defined in s. 38.01 (1).

3 (4) The ~~administrator~~ director may provide for cooperative programs leading
4 to eligibility for permanent appointment in order to enable institutions of higher
5 education and agencies to attract and train the highest caliber of undergraduate or
6 graduate students for government employment.

7 **SECTION 172.** 230.24 (1) of the statutes is amended to read:

8 230.24 (1) The ~~director~~ administrator may by rule develop a career executive
9 program that emphasizes excellence in administrative skills in order to provide
10 agencies with a pool of highly qualified executive candidates, to provide outstanding
11 administrative employees a broad opportunity for career advancement and to
12 provide for the mobility of such employees among the agencies and units of state
13 government for the most advantageous use of their managerial and administrative
14 skills. To accomplish the purpose of this program, the ~~administrator~~ director may
15 provide policies and standards for recruitment, examination, probation,
16 employment register control, certification, transfer, promotion and reemployment,
17 and the director may provide policies and standards for classification and salary
18 administration, separate from procedures established for other employment. The
19 ~~director~~ administrator shall determine the positions which may be filled from career
20 executive employment registers.

21 **SECTION 173.** 230.24 (1m) of the statutes is amended to read:

22 230.24 (1m) The policy established by the ~~administrator~~ director under sub.
23 (1) that deals with probation shall provide the option of extending the probationary
24 period for individuals with disabilities, as defined in s. 111.32 (8), who are employees
25 in a manner consistent with s. 230.28 (1) (bm).

1 **SECTION 174.** 230.25 (1) of the statutes is amended to read:

2 230.25 (1) Appointing authorities shall give written notice to the ~~administrator~~
3 director of any vacancy to be filled in any position in the classified service. The
4 ~~administrator~~ director shall certify, under this subchapter and the rules of the
5 ~~administrator~~ director, from the register of eligibles appropriate for the kind and
6 type of employment, the grade and class in which the position is classified, any
7 number of names at the head thereof. In determining the number of names to certify,
8 the ~~administrator~~ director shall use statistical methods and personnel management
9 principles that are designed to maximize the number of certified names that are
10 appropriate for filling the specific position vacancy. Up to 2 persons considered for
11 appointment 3 times and not selected may be removed from the register for each 3
12 appointments made. Certification under this subsection shall be made before
13 granting any preference under s. 230.16 (7).

14 **SECTION 175.** 230.25 (1g) of the statutes is amended to read:

15 230.25 (1g) For every position to be filled by promotion from a promotional
16 register, the ~~administrator~~ director shall, after certifying names under sub. (1),
17 additionally certify the name of the highest ranked disabled veteran whose disability
18 is at least 70%.

19 **SECTION 176.** 230.25 (1n) (a) (intro.) of the statutes is amended to read:

20 230.25 (1n) (a) (intro.) After certifying names under subs. (1), (1g) and (1m),
21 the ~~administrator~~ director may engage in expanded certification by doing one or
22 more of the following:

23 **SECTION 177.** 230.25 (1n) (b) of the statutes is amended to read:

24 230.25 (1n) (b) The ~~administrator~~ director may certify names under par. (a) 1.
25 or 2. only if an agency requests expanded certification in order to comply with an

1 approved affirmative action plan or program. The ~~administrator~~ director may certify
2 names under par. (a) 3. only if an agency requests expanded certification in order to
3 hire persons with a disability.

4 **SECTION 178.** 230.25 (1p) of the statutes is amended to read:

5 230.25 (1p) If an appointing authority appoints a person certified under this
6 section and the person is not a veteran, the spouse of a veteran or a person the hiring
7 of whom would serve affirmative action purposes, the appointing authority shall
8 make and retain a written record of the appointing authority's reasons for selecting
9 the person who was appointed. The appointing authority shall make the written
10 records available to the ~~office~~ division and annually submit a report to the ~~office~~
11 division summarizing the reasons contained in the written records. The ~~office~~
12 division shall annually prepare a report summarizing, for each agency, the reasons
13 contained in the records prepared by appointing authorities under this subsection.

14 **SECTION 179.** 230.25 (2) of the statutes is amended to read:

15 230.25 (2) (a) When certifying names to appointing authorities under this
16 section, the ~~administrator~~ director shall specify whether the certification includes
17 qualifying veterans or persons the hiring of whom would serve affirmative action
18 purposes, without divulging the names of those individuals. The ~~administrator~~
19 director shall not disclose any applicant's test score, with or without the addition of
20 veterans preference points under s. 230.16 (7), to the appointing authority.

21 (b) Unless otherwise provided in this subchapter or the rules of the
22 ~~administrator~~ director, appointments shall be made by appointing authorities to all
23 positions in the classified service from among those certified to them in accordance
24 with this section. Appointments shall be made within 60 days after the date of
25 certification unless an exception is made by the ~~administrator~~ director. If an

1 appointing authority does not make an appointment within 60 days after
2 certification, he or she shall immediately report in writing to the ~~administrator~~
3 director the reasons therefor. If the ~~administrator~~ director determines that the
4 failure to make an appointment is not justified under the merit system, the
5 ~~administrator~~ director shall issue an order directing that an appointment be made.

6 **SECTION 180.** 230.25 (3) (b) of the statutes is amended to read:

7 230.25 (3) (b) The ~~administrator~~ director may allow a register to expire after
8 3 months, but only after considering the impact of such an action on the policy of this
9 state to provide for equal employment opportunity and to take affirmative action, as
10 specified in s. 230.01 (2).

11 **SECTION 181.** 230.25 (4) of the statutes is amended to read:

12 230.25 (4) (a) The ~~administrator~~ director may establish a new and separate
13 register for a specific position or class only when in the ~~administrator's~~ director's
14 judgment there is no appropriate existing register from which appointments may be
15 made.

16 (b) The ~~administrator~~ director may establish separate registers for various
17 geographic areas of the state if the needs of the service so require, provided proper
18 publicity has been given of the intent to establish such registers.

19 **SECTION 182.** 230.25 (5) of the statutes is amended to read:

20 230.25 (5) Notwithstanding sub. (2) (a), if an appointing authority elects to
21 appoint a disabled veteran to a vacant position on a noncompetitive basis under s.
22 230.275 and the appointing authority has requested a certification for the position,
23 the ~~administrator~~ director shall provide the appointing authority the names of all
24 disabled veterans certified for appointment to the position and who satisfy the
25 condition specified in s. 230.275 (1) (a) and the names of all such disabled veterans

1 who are on any other employment register that is identified by the appointing
2 authority.

3 **SECTION 183.** 230.26 (1) of the statutes is amended to read:

4 230.26 (1) The ~~administrator~~ director may provide by rule for selection and
5 appointment for limited term appointments, which are provisional appointments or
6 appointments for less than 1,044 hours per year.

7 **SECTION 184.** 230.26 (1m) of the statutes is amended to read:

8 230.26 (1m) An appointing authority may not appoint a person who is not a
9 state resident to a limited term appointment unless approved by the ~~administrator~~
10 director.

11 **SECTION 185.** 230.26 (2) of the statutes is amended to read:

12 230.26 (2) If there are urgent reasons for filling a vacancy in any position in
13 the classified service and the ~~administrator~~ director is unable to certify to the
14 appointing authority, upon requisition by the latter, a list of persons eligible for
15 appointment from an appropriate employment register, the appointing authority
16 may nominate a person to the ~~administrator~~ director for noncompetitive
17 examination. If the nominee is certified by the ~~administrator~~ director as qualified,
18 the nominee may be appointed provisionally to fill the vacancy until an appointment
19 can be made from a register established after announcement of competition for the
20 position, except that no provisional appointment may be continued for more than 45
21 working days after the date of certification from the register. Successive
22 appointments may not be made under this subsection. This subsection does not
23 apply to a person appointed to a vacant position in the classified service under s.
24 230.275.

25 **SECTION 186.** 230.26 (5) of the statutes is amended to read:

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

5 **SECTION 187.** 230.27 (1m) (b) of the statutes is amended to read:

6 230.27 (1m) (b) The ~~administrator~~ director may waive the prohibition under
7 par. (a) if there is a critical need for employees in a specific classification or position
8 or a critical shortage of residents of this state possessing the skills or qualifications
9 required for a position.

10 **SECTION 188.** 230.27 (2) of the statutes is amended to read:

11 230.27 (2) Subject to s. 230.275, the ~~administrator~~ director may provide by rule
12 for the selection and appointment of a person to a project position.

13 **SECTION 189.** 230.27 (2k) of the statutes is amended to read:

14 230.27 (2k) If an appointing authority selects, for a project position, a person
15 who is not a veteran or is not a person the hiring of whom would serve affirmative
16 action purposes, the appointing authority shall make and retain a written record of
17 the appointing authority's reasons for selecting the person who was appointed. The
18 appointing authority shall make the written records available to the ~~office~~ division
19 and annually submit a report to the ~~office~~ division summarizing the reasons
20 contained in the written records. The ~~office~~ division shall annually prepare a report
21 summarizing, for each agency, the information submitted by appointing authorities
22 under this subsection.

23 **SECTION 190.** 230.275 (1) (d) of the statutes is amended to read:

1 230.275 (1) (d) The appointing authority notifies the ~~administrator~~ director in
2 writing that the position is to be filled with a disabled veteran on a noncompetitive
3 basis.

4 **SECTION 191.** 230.28 (1) (a) of the statutes is amended to read:

5 230.28 (1) (a) All original and all promotional appointments to permanent,
6 sessional and seasonal positions, with the exception of those positions designated as
7 supervisor or management under s. 111.81, in the classified service shall be for a
8 probationary period of 6 months, but the ~~administrator~~ director at the request of the
9 appointing authority and in accordance with the rules related thereto may extend
10 any such period for a maximum of 3 additional months. Dismissal may be made at
11 any time during such periods. Upon such dismissal, the appointing authority shall
12 report to the ~~administrator~~ director and to the employee removed, the dismissal and
13 the reason therefor. The ~~administrator~~ director may remove an employee during the
14 employee's probationary period if the ~~administrator~~ director finds, after giving notice
15 and an opportunity to be heard, that such employee was appointed as a result of
16 fraud or error.

17 **SECTION 192.** 230.28 (1) (b) of the statutes is amended to read:

18 230.28 (1) (b) The ~~administrator~~ director may authorize a longer probationary
19 period not to exceed 2 years for any administrative, technical or professional
20 position, in order to provide the appointing authority assurance that the employee
21 has had adequate exposure to the various responsibilities which are a part of the
22 position or classification.

23 **SECTION 193.** 230.28 (1) (bm) (intro.) of the statutes is amended to read:

24 230.28 (1) (bm) (intro.) At the request of an appointing authority and an
25 employee, the ~~administrator~~ director may authorize, at any time before the

1 completion of the probationary period, an extended probationary period of up to one
2 additional year for an individual with a disability, as defined in s. 111.32 (8), who is
3 the employee to allow the employee to do any of the following:

4 **SECTION 194.** 230.28 (1) (c) of the statutes is amended to read:

5 230.28 (1) (c) Upon request by the appointing authority, the ~~administrator~~
6 director may waive any portion of the lengthened probationary period but in no case
7 before a 6-month probationary period has been served.

8 **SECTION 195.** 230.28 (3) of the statutes is amended to read:

9 230.28 (3) If an employee is removed from a position during the probationary
10 period, and the ~~administrator~~ director determines that the person is suitable for
11 appointment to another position, the person's name may be restored to the list from
12 which it was certified.

13 **SECTION 196.** 230.28 (4) of the statutes is amended to read:

14 230.28 (4) A person reinstated in an employing unit other than one in which
15 the person previously served in permanent status in the class in which the person
16 is being reinstated, an employee who transfers from one employing unit to another,
17 an employee who moves to a different employing unit in conjunction with a voluntary
18 demotion, and a person who had not obtained permanent status in class in a
19 supervisory or management position prior to appointment to another supervisory or
20 management position, may be required by the appointing authority to serve a
21 probationary period. Provisions for the duration of such probationary period shall
22 be provided in the rules of the ~~administrator~~ director.

23 **SECTION 197.** 230.29 of the statutes is amended to read:

24 **230.29 Transfers.** A transfer may be made from one position to another only
25 if specifically authorized by the ~~administrator~~ director.

1 **SECTION 198.** 230.30 (1) of the statutes is amended to read:

2 230.30 (1) Each agency shall constitute an employing unit for purposes of
3 personnel transactions, except where appropriate functional, organizational or
4 geographic breakdowns exist within the agency and except as provided in sub. (2).
5 These breakdowns may constitute a separate employing unit for one or more types
6 of personnel transactions under an overall employing unit plan if requested by the
7 appointing authority of that agency and approved by the ~~administrator~~ director. If
8 the ~~administrator~~ director determines, after conferring with the appointing
9 authority of the employing agency, that an employing unit is or has become
10 inappropriate to carry out sound personnel management practices due to factors
11 including, but not limited to, the size or isolated location of portions of the employing
12 unit, the ~~administrator~~ director may revise the employing unit structure of the
13 agency to effect the remedy required.

14 **SECTION 199.** 230.31 (1) (b) of the statutes is amended to read:

15 230.31 (1) (b) For a 3-year period from the date of separation, if on layoff status,
16 the person shall be placed, in inverse order of layoff, on an appropriate mandatory
17 restoration register for the unit used for layoff and on a restoration register for the
18 agency from which the person was laid off. Use of such registers shall be subject to
19 the rules of the ~~administrator~~ director.

20 **SECTION 200.** 230.31 (2) of the statutes is amended to read:

21 230.31 (2) The ~~administrator~~ director may also provide for the reinstatement
22 of persons who have served in seasonal and sessional employment and for persons
23 who separate from a position while serving a probationary period.

24 **SECTION 201.** 230.315 (1) (c) of the statutes is amended to read:

1 230.315 (1) (c) The employee has received a military leave of absence under s.
2 230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V
3 of ch. 111, or under rules promulgated by the ~~office of employment relations~~ division
4 or is eligible for reemployment with the state under s. 321.64 after completion of his
5 or her service in the U.S. armed forces.

6 **SECTION 202.** 230.32 (3) of the statutes is amended to read:

7 230.32 (3) (a) Any classified employee who leaves state service and enters the
8 armed forces of the United States shall, under this section, be granted written
9 military leave of absence by the appointing authority. Notice of such leave from state
10 service and the terms of any such leave shall be given in writing by the appointing
11 authority to the ~~director~~ administrator for purposes of record.

12 (b) Any classified employee who leaves state service for civilian employment
13 in response to a specific request or order of the federal government or any of its
14 agencies in connection with manpower redistribution and utilization shall, under
15 this section, make written application to the appointing authority for civilian leave
16 of absence presenting such specific request or order of the federal government as
17 supporting evidence. Such civilian leave shall be allowed by the appointing
18 authority and its terms, which shall conform to the rules of the ~~director~~
19 administrator, shall be in writing. Notice of such leave from state service shall be
20 made in writing by the appointing authority to the ~~director~~ administrator for
21 purposes of record.

22 (c) All such military or civilian leaves of absence as heretofore may have been
23 granted are validated and shall be deemed to be sufficient and effective hereunder.
24 Such leaves shall be recorded with the ~~director~~ administrator.

25 **SECTION 203.** 230.32 (4) of the statutes is amended to read:

1 230.32 (4) Any person appointed to fill the position of an employee on such
2 military or civilian leave shall be designated as a substitute or replacement employee
3 and upon the return and reemployment of the original employee the substitute
4 employee shall be transferred to a similar position with the same employing agency
5 if one is available, or if not, he or she shall be eligible for reinstatement or have the
6 right of restoration in accordance with this subchapter and the rules of the
7 ~~administrator~~ director. The status of any person who is appointed to fill the place
8 of an employee on military or civilian leave under this section shall be governed by
9 the rules of the ~~administrator~~ director pursuant thereto.

10 **SECTION 204.** 230.32 (5) of the statutes is amended to read:

11 230.32 (5) The restoration of classified former employees of the state shall be
12 governed by this section and by the rules of the ~~administrator~~ director.

13 **SECTION 205.** 230.33 (2) of the statutes is amended to read:

14 230.33 (2) A person appointed to an unclassified position by an appointing
15 authority other than an appointing authority described under sub. (1), to a
16 department other than the one in which the person was a classified employee may
17 be granted a leave of absence without pay at the option of the person's former
18 appointing authority in accordance with the leave of absence provisions in the rules
19 of the ~~director~~ administrator. An employee granted a leave of absence shall have the
20 same restoration rights and reinstatement privileges as under sub. (1m). If not
21 granted a leave of absence, the employee shall be entitled only to the reinstatement
22 privileges under sub. (1m).

23 **SECTION 206.** 230.34 (1) (c) of the statutes is amended to read:

24 230.34 (1) (c) The ~~director~~ administrator shall establish guidelines for uniform
25 application of this authority among the various agencies.

1 **SECTION 207.** 230.34 (2) (b) of the statutes is amended to read:

2 230.34 (2) (b) The ~~administrator~~ director shall promulgate rules governing
3 layoffs and appeals therefrom and alternative procedures in lieu of layoff to include
4 voluntary and involuntary demotion and the exercise of a displacing right to a
5 comparable or lower class, as well as the subsequent employee right of restoration
6 or eligibility for reinstatement.

7 **SECTION 208.** 230.34 (2m) of the statutes is amended to read:

8 230.34 (2m) Employees in positions funded by nonstate funds made available
9 contingent on special employee eligibility requirements such as length of prior
10 unemployment, specific occupational disadvantages or need for remedial work
11 experience, shall be exempt from inclusion with the employees whose positions are
12 in classes considered for layoff under sub. (2). In the case of reduction in force in such
13 nonstate funded positions, layoffs and layoff procedures established pursuant to the
14 rules of the ~~administrator~~ director may be limited to employees whose positions are
15 dependent upon specific funding contingencies.

16 **SECTION 209.** 230.34 (3) of the statutes is amended to read:

17 230.34 (3) The appointing authority shall confer with the ~~administrator~~
18 director relative to a proposed layoff a reasonable time before the effective date
19 thereof in order to assure compliance with the rules.

20 **SECTION 210.** 230.34 (4) of the statutes is amended to read:

21 230.34 (4) Resignations shall be regulated by the rules of the ~~director~~
22 administrator.

23 **SECTION 211.** 230.35 (1) (d) of the statutes is amended to read:

24 230.35 (1) (d) Annual leaves of absence shall not be cumulative except under
25 sub. (1p) and except that unused annual leave shall, subject to the rules of the

1 ~~director~~ administrator, be used in the year following the one in which it was earned,
2 but no employee shall lose any unused annual leave because the employee's work
3 responsibilities prevented the usage of the unused annual leave during the first 6
4 months of the year following the year in which it was earned.

5 **SECTION 212.** 230.35 (1m) (f) of the statutes is amended to read:

6 230.35 (1m) (f) The continuous service of an employee eligible for annual leave
7 under this subsection shall not be considered interrupted if the employee was on an
8 approved leave of absence to participate in providing specialized disaster relief
9 services or if the employee leaves the service and is reemployed by the state in
10 another position covered under this subsection. Employees appointed to career
11 executive positions under s. 230.24 or positions designated in s. 19.42 (10) (L) or
12 20.923 (4), (7), (8), or (9) or authorized under s. 230.08 (2) (e) are not subject to the
13 continuous service requirements under sub. (1) (g) if they are reemployed in any of
14 those positions, regardless of the duration of their absence. If the employees are
15 reemployed in a position other than a career executive position or a position
16 designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), or (9) or authorized under s.
17 230.08 (2) (e), continuous service shall be established in accordance with rules of the
18 ~~director~~ administrator.

19 **SECTION 213.** 230.35 (2) of the statutes is amended to read:

20 230.35 (2) Leave of absence with pay owing to sickness and leave of absence
21 without pay, other than annual leave and leave under s. 103.10, shall be regulated
22 by rules of the ~~director~~ administrator, except that unused sick leave shall accumulate
23 from year to year. After July 1, 1973, employees appointed to career executive
24 positions under the program established under s. 230.24 or positions designated in
25 s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall

1 have any unused sick leave credits restored if they are reemployed in a career
2 executive position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and
3 (9) or authorized under s. 230.08 (2) (e), regardless of the duration of their absence.
4 Restoration of unused sick leave credits if reemployment is to a position other than
5 those specified above shall be in accordance with rules of the ~~director~~ administrator.

6 **SECTION 214.** 230.35 (2r) (b) of the statutes is amended to read:

7 230.35 (2r) (b) The ~~director~~ administrator may establish, by rule, a
8 catastrophic leave program that permits employees to donate certain types and
9 amounts of leave credits to other employees who have been absent from pay status
10 because of a catastrophic need for which there is no paid leave benefits or
11 replacement income available. The ~~director~~ administrator shall determine the types
12 and amounts of leave credits that may be donated.

13 **SECTION 215.** 230.35 (3) (d) of the statutes is amended to read:

14 230.35 (3) (d) Employees of the state are entitled to reasonable paid leaves of
15 absence to compete in promotional examinations and interviews. The ~~director~~
16 administrator shall promulgate rules governing the lengths of time allowable for
17 such leaves, their frequency and the provisions for their use.

18 **SECTION 216.** 230.35 (3) (e) 2. e. of the statutes is amended to read:

19 230.35 (3) (e) 2. e. The leave of absence conforms with any rules of the ~~director~~
20 administrator regarding leaves of absence to provide specialized disaster relief
21 services.

22 **SECTION 217.** 230.35 (3) (e) 5. of the statutes is amended to read:

23 230.35 (3) (e) 5. The ~~director~~ administrator may promulgate any rules
24 necessary to implement this paragraph.

25 **SECTION 218.** 230.35 (5) (b) of the statutes is amended to read:

1 230.35 (5) (b) The standard basis of employment shall be divided into 5 work
2 days of 8 hours each except as provided under s. 230.215 (5), and except that when
3 the conditions of employment cannot be satisfied by adhering to this division or when
4 the public would not be inconvenienced, deviations may be permitted upon
5 recommendation of the appointing authority and subsequent approval by the
6 ~~director~~ administrator.

7 **SECTION 219.** 230.37 (1) of the statutes is amended to read:

8 230.37 (1) In cooperation with appointing authorities the ~~director~~
9 administrator shall establish an employee performance evaluation program to
10 provide a continuing record of employee development and, when applicable, to serve
11 as a basis for pertinent personnel actions. Similar evaluations shall be conducted
12 during the probationary period but may not infringe upon the authority of the
13 appointing authority to retain or dismiss employees during the probationary period.

14 **SECTION 220.** 230.40 (6) of the statutes is amended to read:

15 230.40 (6) The ~~administrator~~ director shall administer this section.

16 **SECTION 221.** 230.43 (5) of the statutes is amended to read:

17 230.43 (5) TAXPAYERS' SUITS. The right of any taxpayer to bring any action to
18 restrain the payment of compensation to any person appointed to or holding any
19 office or place of employment in violation of this subchapter shall not be limited or
20 denied by reason of the fact that the office or place of employment has been classified
21 as, or determined to be, not subject to competitive examination; however, any
22 judgment or injunction in any such action shall be prospective only, and shall not
23 affect payments already made or due to such persons by the proper disbursing
24 officers, in accordance with the rules of the ~~director~~ administrator in force at the time
25 of such payments.

1 **SECTION 222.** 230.44 (1) (a) of the statutes is amended to read:

2 230.44 (1) (a) *Decision made or delegated by ~~administrator~~ director.* Appeal of
3 a personnel decision under this subchapter made by the ~~administrator~~ director or by
4 an appointing authority under authority delegated by the ~~administrator~~ director
5 under s. 230.05 (2).

6 **SECTION 223.** 230.44 (1) (b) of the statutes is amended to read:

7 230.44 (1) (b) *Decision made or delegated by ~~director~~ administrator.* Appeal of
8 a personnel decision under s. 230.09 (2) (a) or (d) or 230.13 (1) made by the ~~director~~
9 administrator or by an appointing authority under authority delegated by the
10 ~~director~~ administrator under s. 230.04 (1m).

11 **SECTION 224.** 230.44 (1) (dm) of the statutes is amended to read:

12 230.44 (1) (dm) *Noncompetitive appointment of certain disabled veterans.* A
13 personnel action under s. 230.275 by an appointing authority that is alleged to be
14 illegal or an abuse of discretion. The ~~administrator~~ director and the ~~office~~ division
15 may not be a party to any such appeal.

16 **SECTION 225.** 230.44 (4) (bm) of the statutes is amended to read:

17 230.44 (4) (bm) Upon request of an employee who files an appeal of the decision
18 of the ~~director~~ administrator made under s. 230.09 (2) (a) or (d), the appeal shall be
19 heard by a commissioner or attorney employed by the commission serving as
20 arbitrator under rules promulgated for this purpose by the commission. In such an
21 arbitration, the arbitrator shall orally render a decision at the conclusion of the
22 hearing affirming, modifying or rejecting the decision of the ~~director~~ administrator.
23 The decision of the arbitrator is final and is not subject to review by the commission.
24 An arbitrator's decision may not be cited as precedent in any other proceeding before
25 the commission or before any court. The arbitrator shall promptly file his or her

1 decision with the commission. The decision of the arbitrator shall stand as the
2 decision of the commission. The decision of the commission is subject to review under
3 ss. 227.53 to 227.57 only on the ground that the decision was procured by corruption,
4 fraud or undue means or that the arbitrator or the commission exceeded the
5 arbitrator's or the commission's power. The record of a proceeding under this
6 paragraph shall be transcribed as provided in s. 227.44 (8).

7 **SECTION 226.** 230.46 of the statutes is amended to read:

8 **230.46 Duties of council on affirmative action.** The council on affirmative
9 action ~~in the office~~ shall serve in a direct advisory capacity to the ~~director~~
10 administrator and as part of that relationship shall evaluate the progress of
11 affirmative action programs throughout the civil service system, seek compliance
12 with state and federal regulations and recommend improvements in the state's
13 affirmative action efforts as an employer. In carrying out its responsibilities, the
14 council may recommend legislation, consult with agency personnel and other
15 interested persons, conduct hearings and take other appropriate action to promote
16 affirmative action. The council shall report at least once per year to the governor and
17 the legislature.

18 **SECTION 227.** 230.48 (2) of the statutes is amended to read:

19 **230.48 (2) PERSONNEL, FACILITIES AND EQUIPMENT.** ~~The office~~ administrator shall
20 appoint, under the classified service, a secretary and such other employees as are
21 necessary to carry out the duties of the state employees suggestion board, and shall
22 provide such facilities and equipment as that board requires for the proper
23 performance of its work. The state employees suggestion board may request and
24 shall receive from any state department any assistance that it requires.

25 **SECTION 228.** 230.90 (2) of the statutes is amended to read:

1 230.90 (2) An employee may bring an action in circuit court against his or her
2 employer or employer's agent, including this state, if the employer or employer's
3 agent retaliates, by engaging in a disciplinary action, against the employee because
4 the employee exercised his or her rights under the first amendment to the U.S.
5 constitution or article I, section 3, of the Wisconsin constitution by lawfully disclosing
6 information or because the employer or employer's agent believes the employee so
7 exercised his or her rights. The employee shall bring the action within 2 years after
8 the action allegedly occurred or after the employee learned of the action, whichever
9 occurs last. No employee may bring an action against the ~~office~~ division of state
10 ~~employment relations~~ personnel management in the department of administration
11 as an employer's agent.

12 **SECTION 229.** 233.10 (3) (c) 4. of the statutes is amended to read:

13 233.10 (3) (c) 4. Grant to the carry-over employee military leave, treatment of
14 military leave, jury service leave and voting leave in accordance with s. 230.35 (3)
15 and (4) (e) and, to the extent applicable, rules of the ~~office~~ division of state
16 ~~employment relations~~ personnel management in the department of administration
17 governing such leaves for employees in the classified service as of the last day of the
18 employee's employment as a state employee if the employee was entitled to those
19 benefits on that day.

20 **SECTION 230.** 233.10 (4) of the statutes is amended to read:

21 233.10 (4) Notwithstanding the requirement that an employee be a state
22 employee, a carry-over employee of the authority who was employed in a position in
23 the classified service immediately prior to beginning employment with the authority
24 shall, from June 29, 1996, to June 30, 1997, have the same transfer rights under s.
25 230.29 and the rules of the ~~office~~ division of state ~~employment relations~~ personnel

1 management in the department of administration governing transfers as a person
2 who holds a position in the classified service.

3 **SECTION 231.** 301.03 (5h) of the statutes is amended to read:

4 301.03 (5h) Develop, with the assistance of the ~~office~~ division of state
5 ~~employment relations~~ personnel management in the department of administration,
6 a policy for staff assignments that shall consider an employee's seniority when
7 assigning shifts.

8 **SECTION 232.** 301.16 (1o) (b) of the statutes is amended to read:

9 301.16 (1o) (b) In the selection of classified service employees of the institution
10 specified in par. (a), the appointing authority shall, whenever possible, use the
11 expanded certification program under rules of the ~~administrator of the division~~
12 director of the bureau of merit recruitment and selection in the ~~office of state~~
13 ~~employment relations~~ department of administration to ensure that employees of the
14 institution reflect the general population of either the county in which the institution
15 is located or the most populous county contiguous to the county in which the
16 institution is located, whichever population is greater. The ~~administrator~~ director
17 of the ~~division~~ bureau of merit recruitment and selection in the department of
18 administration shall provide guidelines for the administration of this selection
19 procedure.

20 **SECTION 233.** 321.64 (1) (c) of the statutes is amended to read:

21 321.64 (1) (c) If a dispute arises regarding a classified employee of the state
22 relating to the provisions of par. (a), the complaint shall be filed with the ~~director~~
23 administrator of the ~~office~~ division of state ~~employment relations~~ personnel
24 management. A decision of the ~~director~~ administrator of the ~~office~~ division of state

1 employment relations personnel management in the department of administration
2 may be reviewed under ch. 227.

3 SECTION 234. 938.538 (6m) (b) of the statutes is amended to read:

4 938.538 (6m) (b) In the selection of classified service employees for a juvenile
5 correctional facility authorized under 1993 Wisconsin Act 377, section 9108 (1) (a),
6 the appointing authority shall make every effort to use the expanded certification
7 program under s. 230.25 (1n) or rules of the ~~administrator~~ director of the ~~division~~
8 bureau of merit recruitment and selection in the ~~office of state employment relations~~
9 department of administration to ensure that the percentage of employees who are
10 minority group members approximates the percentage of the juveniles placed at that
11 juvenile correctional facility who are minority group members. The ~~administrator~~
12 of the division director of the bureau of merit recruitment and selection in the ~~office~~
13 ~~of state employment relations~~ shall provide guidelines for the administration of the
14 selection procedure.

15 SECTION 235. 978.12 (1) (c) of the statutes is amended to read:

16 978.12 (1) (c) *Assistant district attorneys.* Assistant district attorneys shall be
17 employed outside the classified service. For purposes of salary administration, the
18 ~~director of the office~~ administrator of the division of state employment relations
19 personnel management in the department of administration shall establish one or
20 more classifications for assistant district attorneys in accordance with the
21 classification or classifications allocated to assistant attorneys general. Except as
22 provided in ss. 111.93 (3) (b) and 230.12 (10), the salaries of assistant district
23 attorneys shall be established and adjusted in accordance with the state
24 compensation plan for assistant attorneys general whose positions are allocated to
25 the classification or classifications established by the ~~director of the office~~

1 administrator of the division of state employment relations personnel management
2 in the department of administration.

3 **SECTION 9112. Nonstatutory provisions; Employee Trust Funds.**

4 (1) TERMS OF APPOINTED MEMBERS OF THE GROUP INSURANCE BOARD.

5 Notwithstanding section 15.165 (2) of the statutes, as affected by this act, the
6 following members of the group insurance board shall be appointed for 2-year terms,
7 expiring on May 1 of the next succeeding odd-numbered year, and their successors
8 shall be appointed for 4-year terms as provided under section 15.165 (2) of the
9 statutes, as affected by this act:

10 (a) The insured participant in the Wisconsin Retirement System who is not a
11 teacher.

12 (b) The insured participant in the Wisconsin Retirement System who is a
13 teacher.

14 (c) The insured participant in the Wisconsin Retirement System who is a
15 retired employee.

16 **SECTION 9140. Nonstatutory provisions; State Employment Relations,**
17 **Office of.**

18 (1) ELIMINATION OF THE OFFICE OF STATE EMPLOYMENT RELATIONS.

19 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
20 liabilities of the office of state employment relations become the assets and liabilities
21 of the department of administration.

22 (b) *Positions and employees.* On the effective date of this paragraph, all
23 positions and all incumbent employees in the classified service of the state civil
24 service holding those positions in the office of state employment relations are
25 transferred to the department of administration, except for 6.95 PR FTE positions,

1 funded from the appropriation under s. 20.545 (1) (k), 2013 stats., that are identified
2 by the secretary of administration.

3 (c) *Employee status.* Employees transferred under paragraph (b) have all the
4 rights and the same status under chapter 230 of the statutes in the department of
5 administration that they enjoyed in the office of state employment relations
6 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
7 no employee so transferred who has attained permanent status in class is required
8 to serve a probationary period.

9 (d) *Tangible personal property.* On the effective date of this paragraph, all
10 tangible personal property, including records, of the office of state employment
11 relations is transferred to the department of administration.

12 (e) *Pending matters.* Any matter pending with the office of state employment
13 relations on the effective date of this paragraph is transferred to the department of
14 administration. All materials submitted to or actions taken by the office of state
15 employment relations are considered as having been submitted to or taken by the
16 department of administration.

17 (f) *Contracts.* All contracts entered into by the office of state employment
18 relations in effect on the effective date of this paragraph remain in effect and are
19 transferred to the department of administration. The department of administration
20 shall carry out any obligations under those contracts unless modified or rescinded
21 by that department to the extent allowed under the contract.

22 (g) *Rules and orders.* All rules promulgated by the office of state employment
23 relations in effect on the effective date of this paragraph remain in effect until their
24 specified expiration dates or until amended or repealed by the department of
25 administration. All orders issued by the office of state employment relations in effect

1 on the effective date of this paragraph remain in effect until their specified expiration
2 dates or until modified or rescinded by the department of administration.

3 (END)