

No. 293, S.]

[Published June 9, 1951.

CHAPTER 296.

AN ACT to create 16.095 of the statutes, relating to emergency positions and examinations for state employment.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

16.095 of the statutes is created to read:

16.095 EMERGENCY POSITIONS AND EXAMINATIONS. (1) Whenever the governor finds that such a critical shortage of labor supply exists that merit system techniques and procedures in examinations and recruitment do not provide a sufficient number of qualified applicants to adequately meet the needs of the service, the personnel board, upon the recommendation of the director, may provide for the creation of emergency service classes of positions and suitable salary ranges therefor, which may be entirely new classes or the counterpart of existing classes in the competitive division of the classified service except for entrance qualification requirements. Positions classified in such emergency service classifications may be filled only by emergency service eligibles and shall be abolished by order of the governor upon recommendation of the director of personnel.

(2) (a) The director, in announcing examinations in fields in which there is a short labor supply, may indicate that applicants who are deficient in one or more of the qualifications normally requisite for admission to the examination may be given emergency service eligibility and employment pursuant to the provisions of this section.

(b) Under the emergency service recruiting procedure applicants may be examined singly or in groups at periodic intervals at the place of employment, or elsewhere, after such notice as the director considers adequate; or placed on registers after (1) passing an appropriate test or (2) submitting satisfactory evidence of qualifications, including referral by state employment service or a recognized city or county merit system agency, or any variation or combination of the foregoing or other suitable method which will, in the discretion of the director, assure selection solely on the basis of merit and fitness.

(3) The names of persons who qualify in such examinations shall be placed on "emergency service employment registers" for classes of positions as provided by this section. Eligibility thus established shall be for a period of 60 days, but may be extended by the director for periods not to exceed a total of one year.

(4) Appointments from such emergency service lists shall be made in the manner of regular certification as nearly as possible, except that no person appointed from such lists shall be employed after the governor has abolished such emergency service classifications pursuant to subsection (1). No appointment shall be made from emergency service lists except when regular eligible lists are not available.

(5) Appointing officers may reject the certification of any emergency service eligible because of lack of qualifications for the position to which he has been certified.

(6) (a) Persons appointed under this section shall have the same rights and benefits as other state employes with respect to such matters as sick leave, vacation, within-grade salary adjustments, bonus allowances; however, they shall be considered as serving a probationary period during their continued employment as emergency service employes and shall not acquire permanent tenure or status under chapter 16.

(b) Such employes shall be laid off and re-employed insofar as possible as are regular permanent classified employes, provided that no regular permanent classified employe, regardless of seniority, may be laid off when emergency service employes are continued in the same class in the same department.

(7) The provisions of this bill shall terminate on June 30, 1953.

Approved June 6, 1951.
