

Chapter Pers 1**FORCE AND EFFECT OF RULES; DEFINITIONS**

Pers 1.01 Force and effect of rules

Pers 1.02 Definitions

Pers 1.01 Force and effect of rules. These rules of the director of the state bureau of personnel are promulgated under authority of section 16.03 (6) and chapter 227, Wis. Stats., and approved pursuant to section 16.05 (1) (c) Wis. Stats., to specifically apply to provisions of the civil service law subchapter II of chapter 16, Wis. Stats. As provided under section 16.01 (3) Wis. Stats., nothing in subchapter II of chapter 16 or in these rules shall be construed to either infringe upon or supersede the rights guaranteed state employees under the provisions of the state employment labor relations act, subchapter V of chapter 111, Wis. Stats. These rules are superseded by the labor contract for employees under such labor contract for the subjects of bargaining under section 111.91 (1), Wis. Stats.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, September, 1975, No. 237, eff. 10-1-75.

Pers 1.02 Definitions. In addition to those terms defined pursuant to section 16.02, Wis. Stats., the following are definitions for terms used in these rules:

(1) "Appointing authority" means the officer, commission, board or body having the power of appointment to or removal from, subordinate positions in any office, department, commission, board or institution. An appointing authority may delegate such power to subordinates providing the delegated authority is in writing and a copy is filed with the director.

(2) "Board" means the state personnel board.

(3) "Bureau" means the state bureau of personnel in the department of administration.

(4) "Department" or "agency" means any officer whose office is created by constitution or statute, or any agency so created, except legislative and judicial officers, and offices and agencies created within departments as herein defined.

(5) "Director" means the director of the bureau of personnel. Where the provisions of delegation under section 16.03, Wis. Stats., apply, the term "director" is also defined to include the designated agency representative.

(6) Except as provided in Wis. Adm. Code chapter Pers 24 and subsection (6n) "Employee" means any person holding a position in the classified civil service.

(6n) In Wis. Adm. Code chapter Pers 31, TEMPORARY INTERCHANGE OF EMPLOYEES, the term "employee" shall mean any person holding a position in the classified or unclassified civil service except those persons in the classified service who are serving on a limited term basis or who are serving an original probationary period.

(7) "Employing unit" means an agency or an established functional, organizational or geographical unit within the agency for any one or combination of the following: promotion, demotion, transfer, reinstatement, layoff and other related personnel transactions. Each agency shall develop its employing unit structure to cover all of the above transactions. Employing units shall be established upon recommendation of the appointing authority subject to approval by the director.

(8) "Position" means a group of duties and responsibilities which require the services of an employee on a part-time or full-time basis. In these rules, the term "position" refers to classified positions only unless stated otherwise.

(9) "PSICM" means permanent status in class minimum rate of pay which in applicable pay schedules is defined as the minimum rate to be paid within the pay range to an employee who is not serving a probationary period. Wherever the term PSICM appears the term "job rate" in other pay schedules shall be synonymous.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (6); cr. (8), Register, March, 1974, No. 219, eff. 4-1-74; am. (1), (6) and (7), r. and recr. (8) to be Pers 24.02, cr. (6n), (8) and (9), Register, September, 1975, No. 237, eff. 10-1-75.