

## Chapter ER-Pers 6

## RECRUITMENT AND EXAMINATION

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**Note:** Chapter Pers 6 was renumbered chapter ER-Pers 6, effective March 1, 1983.

**ER-Pers 6.01 Base of recruitment.** The administrator, in determining the most appropriate base of recruitment for classified civil service positions, shall consider such factors as: achievement and maintenance of a balanced workforce; agency goals; staff development patterns; availability of qualified applicants in the service, agency or the employing unit, and effect on employe morale or turnover; designated promotional patterns in the classification series; availability of trained people in the labor market, including the number who have completed or are completing training for the type and level of positions; value of bringing new personnel with different backgrounds into the service; current pay; employe benefits and hiring practices for the types of positions; the interests of other agencies which may use the eligible lists; and efficiency in conducting recruitment programs and examinations.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.02 Recruitment information.** Recruitment information shall be directed to labor market sources which the administrator determines are most likely to provide qualified applicants and will achieve and maintain a work force which is a balanced representation of the citizenry of the state.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (2), Register, September, 1975, No. 237, eff. 10-1-75; r. (1) and (3), renum. (2) and am. Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.025 Employes on leave of absence.** Employes on leave of absence or on seasonal layoff under ER-Pers 22.12 (1), shall be eligible to participate in the civil service selection process on the same basis as classified civil service employes not on leave of absence.

**History:** Cr. Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.027 Employes on temporary interchange.** A classified employe who is on a temporary interchange under s. 230.047, Stats., is

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eligible to compete in promotional examinations during the interchange assignment.

**History:** Cr. Register, February, 1983, No. 326, eff. 3-1-83.

**ER-Pers 6.03 Insufficient number of applicants.** In the event that a sufficient number of qualified applicants fail to apply for an examination or to qualify after the examination, the administrator may reannounce the vacancy or extend the date for filing of applications, or, if necessary, cancel the examination.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.04 Employment register exception.** An existing appropriate register for a class shall be used to fill all vacancies in the class, except that the administrator may authorize new recruitment and examination leading to the establishment of a different register for some positions in the class when substantial differences in the duties of those positions and the qualifications required for successful performance distinguish them from other positions in the same class. The administrator may also establish separate registers on the basis of geographic location or when program emphasis or other recognized employment considerations could be expected to attract new applicants who may be better qualified for "placement on the new register" to be established. Separate registers for different positions in the same class may also be established under s. ER-Pers 11.02.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, February, 1981, No. 302, eff. 3-1-81; am. Register, February, 1983, No. 326, eff. 3-1-83.

**ER-Pers 6.05 Examinations.** (1) The administrator shall establish criteria for evaluating applicant qualifications and shall require the same or equivalent examination for all applicants competing for eligibility on a register except as may be provided in ch. ER-Pers 27.

(2) Examinations may include any technique or techniques which the administrator deems appropriate to evaluate applicants.

(3) All examinations shall be:

(a) Based on information from job analysis, position analysis or other equivalent information documenting actual job tasks to be performed or skills and knowledges required to perform job tasks, or both;

(b) Developed in such a manner as to establish the relationship between skills and knowledges required for successful performance on the test and skills and knowledges required for successful performance on the job;

(c) Supported by data documenting that the skills and knowledges required for successful performance on the test are related to skills and knowledges which differentiate among levels of job performance if the examination results are to be used as a basis for ranking candidates;

(d) Sufficiently reliable to comply with appropriate standards for test validation; and

(e) Objectively rated or scored.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; r. and recr. (1) and (3), am. (2), r. (4) and (5), Register, February, 1981, No. 302, eff. 3-1-81.

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**ER-Pers 6.06 Reimbursement for applicant's travel expenses.** (1) As provided by s. 20.916 (2), Stats., an applicant may be reimbursed for all or part of actual, reasonable and necessary travel expenses, consistent with the applicable provisions of s. 20.916, Stats., which are incurred in connection with reporting for an oral examination or employment interview.

(2) Reimbursement may be made only if necessary for effective recruitment, shall conform to the travel schedule amounts established for state employe travel expenses and must be made in accordance with an agency plan assuring equitable treatment of all candidates.

(3) Each applicant shall be notified of the specific reimbursement plan before the expenses are incurred.

(4) All reimbursement actions under this section shall be documented in writing and subject to review by the administrator.

(5) This section also applies to applicants for positions in the unclassified service.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; r. and recr. Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.07 Notice of examination ratings.** Each examinee shall be given written notice of his or her final results.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72.

**ER-Pers 6.08 Release of examination information.** (1) Any examinee may be given information on the results of his or her examination and the methods by which such results were determined in accordance with the following provisions:

(a) The following information may be released: The composition of the examination, as determined in s. ER-Pers 6.05 (2), the weight of and score on each separately scored component; the results of performance or physical tests; and information as to whether veterans preference was included in the grade.

(b) Information which shall not be released under this section includes but is not limited to the following: copies of examination booklets, rating guides and scoring keys; copies of written comments of oral board members; tapes of oral examinations; results of medical examinations except through the examinee's designated physician; scores of other candidates identified by name except for those certified for employment; and answers to specific items on written examinations.

(2) Information on an examinee's score on all or any part of an examination may not be released to an examinee until the notices of final results have been forwarded to all examinees, except that an examinee who is unsuccessful in any step in the examination process may be so notified at any appropriate time without regard to release of final result notices.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (1) (a) and (b) and (2), Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.09 Anonymity of examinees and security for examinations.** (1) The administrator shall use appropriate means to insure that

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the identity of the examinees in no way influences their score in a written examination.

(2) The administrator shall provide appropriate security for all examination materials.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.095 Cancellation of register or certification.** The administrator may cancel a register or certification at any time the administrator determines that:

(1) The register was not established in compliance with s. 230.16 (4), Stats.; or

(2) One or more applicants gained knowledge of the content of the examination not available to every applicant; or

(3) The establishment of a register was not consistent with the principles of merit and fitness as set forth in the law and these rules.

**History:** Cr. Register, February, 1981, No. 302, eff. 3-1-81; am. (1), Register, February, 1983, No. 326, eff. 3-1-83.

**ER-Pers 6.10 Disqualification of applicants.** In addition to provisions stated elsewhere in the law or rules, the administrator may refuse to examine or certify an applicant, or may remove an applicant from a certification:

(1) Who is found to lack any of the preliminary requirements established for the position;

(2) Who has participated in the scheduled selection process so recently that the results of a reexamination would provide an undue advantage;

(3) Who has been convicted of any felony, misdemeanor or other offense the circumstances of which substantially relate to the circumstances of the particular job or licensed activity. In considering such conviction records, the administrator shall take into account such factors as age at the time of the offense, rehabilitation, and seriousness and nature of the violation in relation to the duties and responsibilities of the position;

(4) Who has been dismissed from the state service for cause, and the action is requested by the appointing authority;

(5) Who has made a false statement of any material fact in any part of the selection process;

(6) Who directly or indirectly gives, receives, renders, or pays or promises to give, receive, render or pay any money, service or other valuable thing to or from any person for or on account of, or in connection with, appointment or proposed appointment;

(7) Who practices, or attempts to practice, any deception or fraud in his or her application, certification, examination, or in securing eligibility or appointment;

(8) Whose work record or employment references are unsatisfactory;

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(9) Who refuses to furnish testimony as required in s. 230.07 (3) or 230.44 (4), Stats.; or

(10) Who has in any manner gained access to special or secret information regarding the content of an examination.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (10), Register, September, 1976, No. 237, eff. 10-1-76; am. (Intro.), (1) and (2), r. (3) and (4), renum. (6) to (11) to be (3) to (9) and am. (3), (4) and (6) to (9), cr. (10), Register, February, 1981, No. 302, eff. 3-1-81; am. (3), Register, February, 1983, No. 326, eff. 3-1-83.

**ER-Pers 6.105 Notice and appeal provisions.** See s. 230.17 (2), Stats., for provision of statement to applicants affected by action under s. ER-Pers. 6.10.

**History:** Cr. Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.11 Critical recruitment selection.** (1) The administrator shall identify classifications or positions for which qualified applicants are in critically short supply, and shall designate these as critical recruitment classifications.

(2) Specialized recruitment, examination, and certification processes may be established to fill positions in these classes, provided that due notice is given so that all interested and qualified applicants may be considered.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (1), Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.12 Understudy and trainee.** (1) **USE OF TRAINEES.** The administrator may authorize the use of trainees when the special funding requirements of a position require that the position be filled by a trainee, or when the administrator determines that a sufficient number of qualified promotional candidates for the objective level are not available within the agency, and:

(a) Filling the position as a trainee will be more appropriate than appointment at the objective level because ability to satisfactorily perform the job tasks is normally acquired as a result of a structured program of job related training and on-the-job experience is required; or

(b) Qualified candidates at the objective level are not readily available in the labor market; or

(c) Filling the position as a trainee will increase the agency's ability to achieve a balanced work force.

(2) **APPOINTMENT TRANSACTION.** The type of appointment transaction shall be based on the objective classification level for the position when filling a position with a trainee.

(3) **USE OF UNDERSTUDY.** Any understudy appointee under s. 230.04 (11), Stats., will serve a probationary period during the entire understudy period and will thereafter serve a probationary period upon appointment to the understudied position. It is the intent of this section to grant the understudy appointee the same status and rights relating to probation as those granted a trainee.

(4) **BASIS OF UNDERSTUDY PAY.** Persons serving in positions having solely understudy functions may be paid on the same basis as provided for trainees under ch. ER-Pers 29. Persons serving in positions having

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duties in addition to the understudy function shall continue to be paid on the basis provided for the non-understudy functions.

**History:** Cr. Register, October 1972, No. 202, eff. 11-1-72; r. and recr. (1) and (2), r. (3), renum. (4) and (5) to be (3) and (4) and am., Register, February, 1981, No. 302, eff. 3-1-81.

**ER-Pers 6.13 Cooperative programs.** To enable appointing authorities and faculty of institutions of higher learning to cooperate in training the highest caliber students for government employment, the administrator may, after giving due consideration to the provisions of s. 230.19, Stats., establish appropriate criteria and controls for program development, recruitment, selection and employment of eligibles for cooperative training programs. Successful completion of an approved cooperative program shall be deemed to fulfill the requirement for competitive selection and appointment to any position for which the cooperative training agreement was established.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (2) (b) and cr. (2) (c) and (d), Register, September, 1975, No. 237, eff. 10-1-75; r. (1) to (4), renum. (5) and am., Register, February, 1981, No. 302, eff. 3-1-81.