

## Chapter ER 47

## TEMPORARY INTERCHANGE

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**Note:** Corrections made under s. 13.93 (2m) (b) 6., Stats., Register December 2003 No. 576.

**ER 47.01 Policy.** The temporary interchange of employees between and among governmental agencies at the same or different levels of government and with institutions of higher education is authorized by s. 230.047, Stats., to facilitate the use of the specialized knowledge and experience of skilled people to address state and local problems, improve the delivery of government services, enhance the career development of governmental employees, strengthen intergovernmental understanding, and increase the capacity of personnel resources.

**History:** Cr. Register, February, 1984, No. 338, eff. 3-1-84.

**ER 47.02 Interchange agreement. (1)** An interchange assignment may begin only after a written agreement has been signed by the parties and approved by the director under s. ER 47.08. The parties are the appointing authorities of the sending and receiving agencies, as defined in s. 230.047 (2), Stats., and the employee concerned.

**(2)** The written agreement shall specify that the employee is assigned "on detail" to the receiving agency but remains an employee of the sending agency.

**History:** Cr. Register, February, 1984, No. 338, eff. 3-1-84.

**ER 47.03 Eligibility for interchange.** All employees in the classified and unclassified service are eligible for interchange except those persons in the classified service who do not have permanent status in class.

**History:** Cr. Register, February, 1984, No. 338, eff. 3-1-84.

**ER 47.04 Duration of interchange. (1)** Interchange assignments shall be temporary in nature and shall not exceed one year.

**(2)** The director may approve an extension for one additional year upon agreement of the parties if an urgent need to extend an interchange exists and is demonstrated. The total duration of the interchange assignment may not exceed 2 years.

**History:** Cr. Register, February, 1984, No. 338, eff. 3-1-84.

**ER 47.05 State, agency or subdivision as sending agency. (1)** When the state of Wisconsin, or any agency or subdivision thereof, is the sending agency, the appointing authority of the sending agency shall:

(a) Arrange for the employee to remain on the agency's payroll and continue to be covered by the appropriate statutory or contractual provisions relating to pay and employee benefits.

(b) Specify in the written agreement that:

1. The employee shall receive all applicable intervening pay adjustments for which the employee is eligible including, but not limited to: adjustments applied to the pay schedule and range to which the employee's class is assigned, length of service payments, discretionary pay adjustments, or other forms of within range pay adjustments;

2. The sending agency may not pay the travel expenses of the employee in connection with an assignment at the receiving agency and the receiving agency shall reimburse the employee at

the rate provided in the state's negotiated collective bargaining agreement or under s. 20.916, Stats., whichever is appropriate;

3. The receiving agency may provide specified maintenance allowances for the employee assigned to it "on detail." These allowances may include, but are not limited to: the maintenance of a separate residence or costs associated with periodic travel to the employee's place of permanent residence; and

4. The employee remains subject to ch. ER-MRS 24, the code of ethics, or other appropriate code of ethics specified in subch. III of ch. 19, Stats.

**(2)** The appointing authority writing the agreement may provide for the receiving agency to reimburse the sending agency for all or part of the salary and employee benefit expenditures incurred during the period of assignment.

**(3)** A classified state employee during the period of assignment is eligible to compete in promotional examinations as if the employee had not entered into an interchange agreement. The assigned employee's position may not be reallocated under s. ER 3.01 (2) (f), or reclassified under s. ER 3.01 (3) nor may the employee be regraded accordingly.

**History:** Cr. Register, February, 1984, No. 338, eff. 3-1-84; corrections in (1) (b) 4. and (3) made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1994, No. 466; corrections in (3) made under s. 13.93 (2m) (b) 7., Stats., Register April 2002 No. 556.

**ER 47.06 State, agency or subdivision as receiving agency.** When the state of Wisconsin, or any agency or subdivision thereof, is the receiving agency, the appointing authority of the receiving agency shall specify in the written agreement:

**(1)** Any salary or employee benefit costs which the receiving agency is obligated to provide as reimbursement to the sending agency;

**(2)** Any separate expense reimbursement the receiving agency will provide, such as moving or temporary lodging under s. 20.917, Stats., or travel expenses under s. 230.047 (7), Stats.; and

**(3)** The fact that the employee is subject to the provisions of ch. ER-MRS 24, the code of ethics, or other appropriate code of ethics specified in subch. III of ch. 19, Stats.

**History:** Cr. Register, February, 1984, No. 338, eff. 3-1-84; correction in (3) made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1994, No. 466.

**ER 47.07 Supplemental pay and benefits. (1)** A receiving agency other than a receiving agency of this state may provide supplemental pay and benefits to the employee for the duration of the interchange. Such supplemental pay and benefits may be paid by the receiving agency to the employee, or may be paid by the sending agency from funds supplied by the receiving agency, provided the payment is separate from pay and benefits under statutory or contractual provisions.

**(2)** An eligible employee under s. ER 47.03 who is on interchange to any office, department or independent agency in the executive, legislative or judicial branches of this state or any authority established under chs. 231, 233 or 234, Stats., may not receive supplemental pay or benefits.

**History:** Cr. Register, February, 1984, No. 338, eff. 3-1-84; renum. to be (1) and cr. (2), Register, May, 1988, No. 389, eff. 6-1-88.

**ER 47.08 Approval.** Any interchange agreement negotiated under this chapter shall be subject to the approval of the director.

**History:** Cr. Register, February, 1984, No. 338, eff. 3-1-84.