

## Chapter ER– 1–47

### INDEX

Note: Statutory sections designated by “s.”

#### Absences:

Active military service . . . . . ER 18.08 (2), s. 230.32  
 Annual leave of, exempt status employees  
 . . . . . ER 18.02 (3) (c) 3., s. 230.35  
 Annual leave of, computation . . . ER 18.02 (4), s. 230.35  
 Annual leave of, computing years of service  
 . . . . . ER 18.02 (2), s. 230.35  
 Annual leave of, effect on continuous employment and  
 continuous service . . . . . ER 18.02 (2), s. 230.35  
 Annual leave of, eligibility . . . . . ER 18.02 (3), s. 230.35  
 Annual leave of, employee option  
 . . . . . ER 18.02 (5), s. 230.35  
 Annual leave of, employees who earn  
 . . . . . ER 18.02 (1), s. 230.35  
 Annual leave of, hourly conversion table  
 . . . . . ER 18.02 (4) (d)  
 Annual leave of, permanent or project employees  
 . . . . . ER 18.02 (3) (c), s. 230.35  
 Annual leave of, seasonal, sessional, school year and part–  
 time employees . . . . . ER 18.02 (3) (c) 3., s. 230.35  
 Annual leave of, when taken . . . . . ER 18.02 (6), s. 230.35  
 Catastrophic leave . . . . . ER 18.15, s. 230.35 (2r)  
 Definition . . . . . ER 1.02 (3)  
 Eligibility for legal holidays . . . . . ER 18.04 (3), s. 230.35  
 Failure to return from leave . . . . . ER 18.14 (4)  
 Formal leave without pay, when granted . . . ER 18.14 (2)  
 Holidays . . . . . ER 18.04, s. 230.35 (4)  
 Jury service . . . . . ER 18.10, s. 230.35 (3) (c)  
 Leave for promotional examinations and interviews  
 . . . . . ER 18.12, s. 230.35 (3) (d)  
 Maternity leave . . . . . ER 18.05 (2) (d)  
 Military service . . . . . ER 18.08 (1), s. 230.35 (3)  
 Paternity, adoption and pre–adoptive foster care leave  
 . . . . . ER 18.14 (2) (d)  
 Sick leave, accounting for use of . . . . . ER 18.03 (3)  
 Sick leave, accrual . . . . . ER 18.03 (2) (a)  
 Sick leave, conversion credit on retirement  
 . . . . . ER 18.03 (5) (b) Note  
 Sick leave, effect of employee movement . . ER 18.04 (2)  
 Sick leave, eligibility for and use of . . . . . ER 18.03 (4)  
 Sick leave, medical certificate may be required  
 . . . . . ER 18.03 (4) (e)  
 Sick leave, transfer of credits . . . . . ER 18.05 (2)  
 Sick leave, who earns . . . . . ER 18.03  
 Personal holidays . . . . . ER 18.04 (4), s. 230.35 (4) (d)  
 Unclassified service . . . . . ER 18.15, s. 230.33  
 Voting time . . . . . ER 10.02 (4), ER 18.11, s. 230.35 (4) (e)  
 Worker’s compensation . . . . . ER 18.07 and 28.01

**Affirmative action council, duties of . . . . . s. 230.46**

**Allocation, definition . . . . . ER 3.01 (1)**

#### Affirmative Action and Equal Opportunity:

AAIS, definition . . . . . ER 43.02 (3)  
 Affirmative action, definition . . . . . ER 1.02 (2)  
 Affirmative action, group, definition . . . . . ER 43.02 (2)  
 Affirmative action plans . . . . . ER 43.03

American Indians or Alaskan Natives, definition  
 . . . . . ER 43.02 (6m) (a)  
 Asians or Pacific Islanders, definition  
 . . . . . ER 43.02 (6m) (b)  
 Authority for . . . . . s. 230.04 (9)  
 Availability of AAIS information . . . . . ER 43.08  
 Blacks, definition . . . . . ER 43.02 (6m) (c)  
 Client, definition . . . . . ER 43.02 (4)  
 Discrimination, definition . . . . . ER 43.02 (5)  
 Equal opportunity, definition . . . . . ER 43.02 (6)  
 Handicapped individual, definition . . . . . ER 1.02 (9)  
 Hispanics, definition . . . . . ER 43.02 (6m) (d)  
 Monitoring and compliance . . . . . ER 43.05  
 Plan components . . . . . ER 43.03  
 Policy . . . . . ER 43.01  
 Program, policy and procedure standards . . . . ER 43.045  
 Reporting systems . . . . . ER 43.07  
 Request for information . . . . . ER 43.06  
 Review of plans . . . . . ER 43.04

#### Alternative Work Patterns:

Alternative work patterns, definition . . . . . ER 42.02 (1)  
 Alternative work patterns plan . . . . . ER 42.03  
 Authority for . . . . . s. 230.215  
 Flexible–time schedule, definition . . . . . ER 42.02 (2)  
 Full–time employment, definition . . . . . ER 42.02 (3)  
 Monitoring and evaluation . . . . . ER 42.06  
 Part–time employment, definition . . . . . ER 42.02 (4)  
 Plan components . . . . . ER 42.04  
 Policy . . . . . ER 42.01 s. 230.215  
 Position restructuring, definition . . . . . ER 42.02 (5)  
 Request for information . . . . . ER 42.07  
 Review of plans . . . . . ER 42.05  
 Shared time, definition . . . . . ER 42.02 (7)  
 Standard work schedule, definition . . . . . ER 42.02 (8)

#### Career executive employment:

Authority for . . . . . s. 230.24  
 Included positions . . . . . ER 30.02  
 Pay adjustments resulting from reassignment or  
 voluntary movement . . . . . ER 30.09  
 Performance evaluation . . . . . ER 30.12  
 Temporary assignments . . . . . ER 30.085

#### Classification:

Authority for . . . . . s. 230.09  
 Official title of . . . . . ER 2.03 (1)  
 Pay range assigned to . . . . . ER 2.02 (3)  
 Plan, content of . . . . . ER 2.01  
 Plan, maintenance of . . . . . ER 2.02  
 Positions, assigned to . . . . . ER 2.02 (2)  
 Specifications, content and effect of . . . . . ER 2.04  
 Subtitle of . . . . . ER 2.03 (2)

#### Classification actions:

Administrator’s review of non–delegated  
 . . . . . ER 3.03 (3)  
 Notice to employee . . . . . ER 3.04

**Classification of position, changing . . . . . ER 3.03 (1)**

**Classification of position, initial** ..... ER 3.02

**Classification terms, definitions,**

- Allocation ..... ER 3.01 (1)
- Reallocation ..... ER 3.01 (2)
- Reclassification ..... ER 3.01 (3)
- Regrade ..... ER 3.01 (4)

**Compensation plan, authority for** ..... ss. 230.10, 230.12

**Compensation plan, definition** . ER 1.02 (5m), s. 230.12 (1) (a) 1. and 2.

**Compensation provisions:**

- Accretion, pay on ..... ER 29.03 (9)
- Base pay or Basic pay, definition ..... ER 1.01 (5)
- Counterpart pay ranges, definition ..... ER 1.02 (7)
- Cumulative pay adjustment, definition ..... ER 29.01 (1)
- Demotion, pay adjustment on ..... ER 29.03 (8)
- Higher class, definition ..... ER 1.02 (12)
- Higher pay range, definition ..... ER 1.02 (13)
- Last rate received, definition ..... ER 1.02 (14), ER 29.03 (6) (b), and (7) (a)
- Lower class, definition ..... ER 1.02 (18)
- Lower pay range, definition ..... ER 1.02 (19)
- Minimum of pay range, definition ..... ER 1.02 (20)
- Multiple pay adjustments on same date; order of application ..... ER 29.04
- Pay – see compensation provisions
- Pay range, definition ..... ER 1.02 (23)
- Pay status, definition ..... ER 1.02 (24)
- Permanent status, definition ..... ER 1.02 (28)
- Permanent status in class, definition ..... ER 1.02 (29)
- Present rate of pay, definition ..... ER 29.01 (2)
- Probationary period, definition ..... ER 1.02 (31)
- Probationary period, pay adjustment on completion ..... ER 29.03 (2)
- Progression series, definition ..... ER 1.02 (32)
- Promotion, definition ..... ER 1.02 (36)
- Promotion, pay adjustment ..... ER 29.03 (4)
- PSICM, definition ..... ER 1.02 (37)
- Red circle pay rate, definition ..... ER 29.01 (3)
- Red circle pay rates ..... ER 29.025
- Regrade, definition ..... ER 1.02 (40)
- Regrade, pay adjustment on ..... ER 29.03 (3)
- Reinstatement, definition ..... ER 1.02 (41)
- Reinstatement, pay adjustment on ..... ER 29.03 (6)
- Restoration, definition ..... ER 1.02 (42)
- Restoration, pay adjustment on ..... ER 29.03 (7)
- Retroactive salary increase or decrease ..... ER 29.05
- Transaction pay adjustments ..... ER 29.03
- Transfer, definition ..... ER 1.02 (46)
- Transfer, pay adjustment ..... ER 29.03 (5)
- Vacancy, definition ..... ER 1.02 (47)

**Demotion:**

- Authority for ..... s. 230.34
- Pay on demotion ..... ER 29.03 (8)

**Discharge, authority for** ..... s. 230.34 (1) (a)

**Director, office of state employment relations, powers and duties of** ..... s. 230.04

**Disciplinary actions:**

- Authority, and options ..... s. 230.34 (1)
- Authority for appointing authorities to take disciplinary action ..... s. 230.06 (1) (b)
- Appeal of ..... s. 230.44 (1) (c)

- Demotion, suspension or discharge, appeal of ..... s. 230.44 (1) (c)

**Employee development and training:**

- Authority for ..... s. 230.04 (11), s. 230.046
- Basic supervisory development, probationary period waiver ..... ER 44.03 (2)
- Basic supervisory development, purpose of ..... ER 44.03 (1)
- Career related training and educational activities, definition ..... ER 44.02 (1)
- Employee development and training program, definition ..... ER 44.02 (2)
- Employee development and training plan, definition ..... ER 44.02 (3)
- Formal training ..... ER 44.02 (4)
- In-service training internship program, establishment of ..... ER 44.05 (2)
- In-service training internship program, reporting of ..... ER 44.05 (3)
- Job-related training and educational activities, definition ..... ER 42.02 (5)
- New supervisor, definition ..... ER 44.02 (6)
- Personal development, training and educational activities, definition ..... ER 44.02 (7)
- Policy and purpose ..... ER 44.01
- Probationary period for trainee and understudy ..... ER 44.10
- Records of training program participation, agency responsibility for ..... ER 44.07 (2)
- Records of training program participation, purpose of ..... ER 44.07 (1)
- Supervisory development program, definition ..... ER 44.02 (8)
- Trainees; use of trainees ..... ER 44.09 (1)
- Trainees; appointment transaction ..... ER 44.09 (2)
- Tuition and fees refund program, career-related training and educational activities ..... ER 44.06 (2)
- Tuition and fees refund program, job-related training and educational activities ..... ER 44.06 (1)
- Tuition and fees refund program, personal development training and educational activities ..... ER 44.06 (3)
- Understudy program, establishment of ..... ER 44.04 (2)
- Understudy program, purpose of ..... ER 44.04 (1)
- Waiver of approved supervisory development program ..... ER 44.03 (2)

**Employee performance evaluation:**

- Agency implementation ..... ER 45.04
- Authority for ..... s. 230.28 (2), s. 230.37
- Employee, definition ..... ER 45.02 (1)
- Performance evaluation definition ..... ER 45.02 (2)
- Performance standard, definition ..... ER 45.02 (3)
- Performance summary statement, definition ..... ER 45.02 (4)
- Policy and purpose ..... ER 45.01
- Program requirements ..... ER 45.03
- Requirements for employees serving probationary periods ..... ER 45.05

**Employment Relations Commission, powers and duties of** ..... s. 230.45

**Force and effect of rules** ..... ER 1.011

**Grievance procedure:**

- Agency amendments ..... ER 46.065
- Authority for ..... s. 230.04 (13)
- Conduct meetings by telephone ..... ER 46.06 (7)
- Conditions of employment as grievable issues  
..... ER 46.03 (1)
- Decision, definition ..... ER 46.02 (1)
- Employee, definition ..... ER 46.02 (2)
- Employer, definition ..... ER 46.02 (3)
- Failure to meet time limits ..... ER 46.08
- Employment relations commission, appeal to  
..... ER 46.03 (2) (Note)
- Employment relations commission, grievance to ER 46.07
- First step ..... ER 46.06 (2) (a)
- Form and filing of the grievance ..... ER 46.05
- Grievance, definition ..... ER 46.02 (4)
- Grievant, definition ..... ER 46.02 (5)
- Grievant representation ..... ER 46.09
- Group grievance, definition  
..... ER 46.02 (6), ER 46.05 (4)
- Informal discussions ..... ER 46.13
- Limitation on grievable matters ..... ER 46.03 (2)
- Management rights ..... ER 46.04
- Notification of employees ..... ER 46.12
- Policy ..... ER 46.01
- Procedure and time limits ..... ER 46.06
- Relief, definition ..... ER 46.02 (7)
- Retaliation, definition ..... ER 46.02 (8)
- Retaliation prohibited ..... ER 46.10
- Retroactivity ..... ER 46.11
- Scope ..... ER 46.03
- Second step ..... ER 46.06 (2) (b)
- Step, definition ..... ER 46.02 (9)
- Third step ..... ER 46.06 (2) (c)
- Timely receipt ..... ER 46.06 (4)
- Waiver of meeting ..... ER 46.06 (6)
- Waiver of time limits ..... ER 46.06 (5)
- Work rule, definition ..... ER 46.02 (10)

**Hazardous duty injury:**

- Appeal rights ..... ER 28.06, s. 230.45 (1) (d)
- Application for benefits ..... ER 28.04 (1)
- Authority for ..... s. 230.36
- Cessation of benefits, determination of  
..... ER 28.05 (3)
- Cessation of benefits, upon return to work  
..... ER 28.05 (4)
- Continuation of benefits on re-injury ..... ER 28.05 (5)
- Medical examinations, requirements for ..... ER 28.05
- Notification of approval or denial of claim  
..... ER 28.04 (2)
- Pay adjustment entitlement for approved claimants  
..... ER 28.04 (4)
- Subrogation rights ..... ER 28.07
- Vacation and sick leave entitlement for approved claimants  
..... ER 28.04 (5)

**Hazardous employment injuries, pay continued**

..... ER 28.04, s. 230.36

**Holidays** ..... s. 230.35

**Injury while on hazardous duty** ..... ER 28.04, s. 230.36

**Interchange of employees – see temporary interchange of employees**

**Job classification – see classification**

**Layoffs: authority for** ..... s. 230.34 (2)

**Layoffs: in non-state funded positions** ..... s. 230.34 (2m)

**Leave of absence and pay while serving in unclassified position** ..... s. 230.33, see absences

**Leave of absence** ..... s. 230.35, see absences

**Limited term appointments:**

- Approval by director of classification and pay rate  
..... ER 10.025
- Authority for ..... s. 230.36
- Benefits ..... ER 10.045
- Classification and compensation ..... ER 10.02 (1)
- Duration limitations ..... ER 10.01
- How paid ..... ER 10.02 (4)

**Military leave, restoration after** .... s. 230.32, see absences

**Misdemeanors, how punished** ..... s. 230.43

**Pay plan – see compensation provisions**

**Probationary Period:**

- Authority for ..... s. 230.28
- Change in job status in agency, not to affect permanent status  
..... s. 230.28 (1) (d)

**Project employment:**

- Benefit provisions ..... ER 34.06
- Pay provisions ..... ER 34.05
- Position classification actions ..... ER 34.04
- Status and rights ..... ER 34.07

**Reallocation, definition** ..... ER 3.01 (2)

**Reclassification, definition** ..... ER 3.01 (3)

**Regrade, definition** ..... ER 3.01 (4)

**Regrade, provisions for** ..... ER 3.015 (1), (2) and (3)

**Reinstatement and restoration:**

- Reinstatement, pay on ..... ER 29.03 (6)
- Restoration, pay on ..... ER 29.03 (7)
- Restoration, pay and benefits upon return from military  
..... s. 230.32

**Resignation:**

- Authority for ..... s. 230.34 (4)
- Conditions of ..... ER 21.02
- Definition ..... ER 21.01 (2)
- Job abandonment ..... ER 21.03, s. 230.34 (1) (am)
- Treatment of leave credits ..... ER 21.04

**Restoration after military leave** ..... s. 230.32

**Standard work week** ..... s. 230.35 (5)

**Standards of performance and ratings** ..... s. 230.37

**State office hours** ..... s. 230.35 (4)

**Suspension, authority for** ..... s. 230.34 (1) (a) and (b)

**Temporary interchange:**

- Approval of ..... ER 47.08
- Authority for ..... s. 230.047
- Definitions ..... s. 230.047 (2)
- Duration of interchange ..... ER 47.04
- Eligibility for interchange ..... ER 47.03
- Interchange agreement ..... ER 47.02
- Policy ..... ER 47.01
- Receiving agency responsibility ..... ER 47.06
- Sending agency responsibility ..... ER 47.05
- Subject to code of ethics ER 47.05 (1) (b) 4., ER 47.06 (3)
- Supplemental pay and benefits ..... ER 47.07 (1)
- Supplemental pay and benefits limitation  
..... ER 47.07(2)

**Travel Expenses of Applicants** ..... s. 20.916 (2)

**Understudy program** ..... ER 44.04

**Workers compensation:**

- Authority ..... ER 28.01
- Concurrent benefits ..... ER 28.03

Covering absence due to work injury  
..... ER 28.02 (1)

Leave credits adjustment for compensable injuries,  
..... ER 28.02 (3), (4) and (5)

Supplementing worker's compensation with leave credits  
..... ER 28.02 (5)