

Chapter ER-MRS 15

TRANSFER

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Note: Chapter Pers 15 was renumbered chapter ER-Pers 15, effective March 1, 1983. Chapter ER-Pers 15 was renumbered chapter ER-MRS 15 under s. 13.93 (2m) (b) 1, Stats., Register, October, 1994, No. 466.

ER-MRS 15.01 Eligibility for transfer. To be eligible for transfer, an employe shall be qualified to perform the work of the position to which the employe would transfer after customary orientation provided for a newly hired worker in the position.

Note: See ER-MRS 1.02 (33) for a definition of transfer.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, December, 1976, No. 252, eff. 1-1-77; am. Register, February, 1981, No. 302, eff. 3-1-81; am. Register, February, 1983, No. 326, eff. 3-1-83; r. and recr. Register, May, 1988, No. 389, eff. 6-1-88.

ER-MRS 15.02 Authorization by administrator. The administrator will authorize a transfer when requested by an appointing authority providing the appointing authority has determined that the employe meets the eligibility requirement under s. ER-MRS 15.01 and that the position to which the employe is transferring is assigned to a class in the same or counterpart pay rate or pay range to which any of the employe's current positions is assigned, and such documentation is provided to the administrator. The administrator may delegate this authority to appointing authorities.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; r. and recr. Register, February, 1981, No. 302, eff. 3-1-81; r. and recr. Register, May, 1988, No. 389, eff. 6-1-88; correction made under s. 13.93 (2m) (b) 7, Stats., Register, October, 1994, No. 466.

ER-MRS 15.03 Transfer between agencies. An employe who transfers between agencies may be required by the appointing authority to serve a probationary period, except that a probationary period shall be required upon transfer to any position identified in s. ER-MRS 13.02 (1). An employe serving such a probationary period after transferring from a position in which the employe had permanent status in class or who has transferred under s. ER-MRS 15.07, may be separated from the service without the right of appeal at the discretion of the appointing authority. See s. 230.31, Stats., for provisions relating to the reinstatement eligibility of a person so dismissed.

Note: For pay on transfer see s. ER 29.03 (5).

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; renum. from Pers 15.04 (1) and am., Register, February, 1981, No. 302, eff. 3-1-81; am. Register, February, 1983, No. 326, eff. 3-1-83; am. Register, May, 1988, No. 389, eff. 6-1-88; corrections made under s. 13.93 (2m) (b) 7, Stats., Register, October, 1994, No. 466.

ER-MRS 15.04 Transfer between different employing units of the same agency. An employe who transfers between different employing units of the same agency may be re-

quired by the appointing authority to serve a probationary period, except that a probationary period shall be required upon a transfer to a trainee position. If the transfer is to a position in a different class and no probationary period resulting from the transfer is required, the employe shall immediately attain permanent status in class. An employe who transfers or who is transferred while serving a probationary period may continue in the probationary status being served prior to transfer or begin a new probationary period under s. ER-MRS 15.07.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; renum. (2) to be (1) and (2) and am., Register, February, 1981, No. 302, eff. 3-1-81; r. (intro.), renum. (1) and am., renum. (2) to be ER-Pers 15.055 and am. Register, February, 1983, No. 326, eff. 3-1-83; correction made under s. 13.93 (2m) (b) 7, Stats., Register, October, 1994, No. 466.

ER-MRS 15.05 Transfer within the same employing unit. No employe who transfers or who is transferred within the same employing unit either to a position in a different class or to a different position in the same class may be required to serve a probationary period, except that a probationary period shall be required upon transfer to a trainee position.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (3), Register, September, 1975, No. 237, eff. 10-1-75; renum. from Pers 15.04 (3) and am., Register, February, 1981, No. 302, eff. 3-1-81; am. Register, February, 1983, No. 326, eff. 3-1-83.

ER-MRS 15.055 Employee removal; status and rights. If a probationary period resulting from a transfer under s. ER-MRS 15.04 or 15.05 is required, the appointing authority, at any time during this period, may remove the employe from the position to which the employe transferred, without the right of appeal. An employe so removed shall be restored to the employe's previous position or transferred to a position for which the employe is qualified in the same pay range or pay rate or a counterpart pay range or pay rate without a break in employment. Any other removal, suspension without pay, or discharge during a probationary period resulting from transfer shall be subject to s. 230.34, Stats.

History: Renum. from Pers 15.04 (2) and am., Register, February, 1983, No. 326, eff. 3-1-83.

ER 15.06 Pay on transfer. See s. ER 29.03 (5).

History: Cr. Register, February, 1981, No. 302, eff. 3-1-81; correction made under s. 13.93 (2m) (b) 7, Stats., Register, October, 1994, No. 466.

ER-MRS 15.07 Transfer while serving a probationary period. (1) Employees serving a probationary period may transfer or be transferred to a different position. The probationary period time served prior to such movement shall

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be carried over if the transfer is within an employing unit. If the transfer is between employing units of the same agency or between agencies, the probationary period time served prior to such movement may be carried over at the discretion of the appointing authority.

(2) Where time served in the probationary period may be carried over at the discretion of the appointing authority, the appointing authority shall give written notice to the employe at the time of appointment of the determination whether the probationary period may be carried over. A record of that determination shall be placed in the employe's personnel file.

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

ER-MRS 15.08 Transfer to a supervisory or management position. An employe who transfers to a supervisory or management position within the same employing unit may not be required to serve a probationary period. An employe who transfers to a supervisory or management position in a different employing unit of the same agency or in another agency may be required, at the discretion of the appointing authority, to serve a probationary period. Such a probationary period shall be served in accordance with the provisions of s. 230.28 (1) (am) and (4), Stats.

History: Cr. Register, May, 1988, No. 389, eff. 6-1-88.