

## Chapter ER-MRS 11

## EMPLOYMENT REGISTERS

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**Note:** Chapter Pers 11 was renumbered chapter ER-Pers 11, effective March 1, 1983. Chapter ER-Pers 11 was renumbered chapter ER-MRS 11 under s. 13.93 (2m) (b) 1., Stats., Register, October, 1994, No. 466.

**ER-MRS 11.01 Establishment and maintenance of registers.** (1) The administrator shall establish and maintain employment registers needed to fill positions in the classified service.

(2) Employment registers under s. ER-MRS 11.02, may be established by functional grouping of titles, class title, subtitle or recruitment option.

(3) Names may be integrated into employment registers when, in the judgment of the administrator, the needs of the service will be benefited.

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

**ER-MRS 11.02 Types of registers.** (1) OPEN COMPETITIVE. Open competitive registers are registers that are established through competition open to all qualified applicants within and outside of the service.

(2) PROMOTIONAL. (a) Promotional registers are established through competition which is open to qualified applicants within state service who:

1. Have permanent status and occupy a permanent, seasonal, sessional or project position, or are on an approved leave of absence, either statutorily mandated or granted by an appointing authority, from such a position;

2. Are former employees who have restoration rights resulting from layoff under s. 230.34 (2), Stats., or applicable collective bargaining agreements; or

3. Are serving a probationary period in a position in which permanent status can be attained.

(b) Competition under this subsection may be limited and separate registers of qualified applicants under par. (a) may be established in the following order of preference:

1. Eligible persons employed within state service.
2. Eligible persons employed within an agency.
3. Eligible persons employed within an employing unit.

(3) GEOGRAPHIC. Registers may be established on a geographic basis with the approval of the administrator.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (1) and (2), r. and recr. (3), Register, February, 1981, No. 302, eff. 3-1-81; am. (2), Register, May, 1988, No. 389, eff. 6-1-88.

**ER-MRS 11.03 Term of eligibility on an employment register.** (1) OPEN COMPETITIVE OR PROMOTIONAL REGISTERS. Eligibility on a register continues for 6 months from the date the register was established or, on an integrated register, 6 months from the date the individual is placed on the register. The administrator may allow a register to expire after 3 months, but only after considering the impact of such an action on the policy of this state to provide for equal employment opportunity and to take affirmative action, as specified in s. 230.01 (2), Stats.

(2) REACTIVATION OF REGISTER. The administrator may reactivate a register up to 3 years from the date it was established.

Names on the reactivated register may be integrated with those on a subsequently established register.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; r. (2), renum. (1) (a) and (b) to be (1) and (2) and am. (2), Register, February, 1981, No. 302, eff. 3-1-81; am. (1), Register, December, 1999, No. 528, eff. 1-1-00.

**ER-MRS 11.04 Removal of names from registers; refusal to certify applicants.** (1) In addition to the reasons given in s. ER-MRS 6.10, the administrator may remove a name from a register or refuse to certify an applicant under any of the following circumstances:

(a) *Appointment.* When a person is appointed, the person's name shall be removed from the register, but may be restored on such register upon written request.

(b) *Failure to respond to inquiry.* When a person does not respond within 5 work days of the day following the mailing of an inquiry relative to availability for employment.

(c) *Unable to locate.* When a person cannot be located by reasonable means.

(d) *Non-selection after 3 appointments.* For each 3 appointments made from a register, up to 2 persons who have been considered for appointment 3 times and not selected may be removed from the register. Such removals shall be based upon a job-related reason reported to the administrator by the appointing authority.

(e) *Termination from state service.* Upon notification by an appointing authority of the resignation or termination, other than by layoff, of an employee, the employee's name shall be removed from any promotional registers.

(f) *Limitations on certifications.* After a person has been certified from a register to 3 vacancies, the person's name may be suspended from the register and not included in subsequent certifications from the register when, in the judgment of the administrator, such action is consistent with sound, technical, personnel management practices as required by s. 230.17, Stats., and with affirmative action as required by s. 230.03 (2) (a) to (c), Stats.

(g) *Failure to accept condition of employment.* When a person will not accept a previously established condition of employment for the classification.

(h) *Failure to appear for scheduled interview.* When a person does not appear for a mutually agreed upon scheduled interview and does not provide a valid reason for such failure to appear within 5 work days of the interview date.

(2) Names may be reactivated on or restored to the registers whenever information is received by the administrator which nullifies the reason for removal.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (1) (intro.), (a), (b), (d) and (2), cr. (1) (f), Register, February, 1981, No. 302, eff. 3-1-81; cr. (1) (g), Register, February, 1983, No. 326, eff. 3-1-83; am. (1) (intro.), (d) to (f), Register, May, 1988, No. 389, eff. 6-1-88; correction in (1) (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1994, No. 466; cr. (1) (h), Register, July, 2000, No. 535, eff. 8-1-00.

**ER-MRS 11.05 Statement of availability.** It shall be the responsibility of an applicant to inform the administrator of any change in the applicant's availability, mailing address and telephone number, if applicable, and the conditions under which the applicant will accept employment.

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