

## Chapter ER-MRS 8

### PROCEDURES FOR CORRECTIONS AND ENTRY PROFESSIONAL POSITIONS

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**Note:** Chapter ER-Pers 8 was renumbered chapter ER-MRS 8 under s. 13.93 (2m) (b) 1., Stats., Register, October, 1994, No. 466; Corrections made under section 13.93 (2m) (b) 6., Stats., Register December 2003 No. 576.

#### Subchapter I — Affirmative Action Procedures for Corrections Positions

**ER-MRS 8.01 Policy.** This subchapter implements s. 230.213, Stats., which authorizes the administrator, for affirmative action purposes, to establish such recruitment, examination and certification procedures for positions in the department of corrections and for positions in juvenile correctional institutions in the department of health services as will enable the agencies to increase the number of employees of a specified gender or a specified racial or ethnic group.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; **correction made under s. 13.92 (4) (b) 6., Stats.**

**ER-MRS 8.02 Applicability.** An appointing authority may use the procedures in this subchapter to fill permanent classified positions in the department of corrections or in the juvenile correctional institutions in the department of health services.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; **correction made under s. 13.92 (4) (b) 6., Stats.**

**ER-MRS 8.03 Recruitment. (1)** An appointing authority shall submit to the administrator a comprehensive recruitment plan for each job classification subject to this subchapter. The plan shall outline approaches and strategies to attract qualified applicants from affirmative action groups.

**(2)** The appointing authority shall obtain approval of the recruitment plan from the administrator prior to announcing the position vacancy.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92.

**ER-MRS 8.04 Assessment. (1)** The appointing authority shall develop a plan to assess applicants, establish employment registers and certify applicants to be interviewed. The appointing authority shall obtain approval of the plan from the administrator before announcing the position vacancy. Approval shall be based on both of the following:

(a) Whether the plan will provide the appointing authority with the greatest opportunity to select qualified applicants from affirmative action groups.

(b) Whether the plan includes valid, job-related assessment criteria.

**(2)** With the administrator's approval, the appointing authority may assess applicants using techniques including but not limited to written examinations; oral examinations; performance exercises; evaluation of training, education or experience; writing samples or other techniques. An appointing authority may design the assessment techniques to categorize applicants into groups of eligible applicants.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92.

**ER-MRS 8.05 Certification.** With the administrator's approval, the appointing authority may determine how many applicants to interview. The administrator may provide an appointing authority with additional names of qualified applicants from affirmative action groups in order to comply with an approved affirmative action plan or program or to hire persons with handicaps. The number of names shall not be limited to the number specified in s. 230.25 (1n) (a), Stats.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92.

**ER-MRS 8.06 Review of recruitment and hiring results.** The administrator shall periodically review the results of recruitment and hiring procedures established under this subchapter. The departments of corrections and health services shall, on request, provide the administrator with the information and data needed to evaluate these programs.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; **correction made under s. 13.92 (4) (b) 6., Stats.**

#### Subchapter II — Entry Professional Program

**ER-MRS 8.20 Policy. (1)** This subchapter implements s. 230.22 (3), Stats., which authorizes the administrator to establish separate recruitment, evaluation and certification procedures for entry professional positions. This authority is intended to give appointing authorities of state agencies flexibility to recruit, assess and certify persons for entry professional positions so that the state can compete with other employers for the most qualified candidates.

**(2)** In accordance with ss. 230.15 (1) and 230.16 (4), Stats., all appointments under this subchapter shall be made only according to merit and fitness and all examinations shall be job-related in compliance with appropriate validation standards.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92.

**ER-MRS 8.21 Applicability. (1)** An appointing authority may use the recruitment, evaluation and certification procedures in this subchapter to fill vacancies in entry professional positions for which open recruitment under s. ER-MRS 11.02 (1) is used. The procedures in this subchapter or registers created under this subchapter may not be used to fill vacancies which an appointing authority elects to fill through agency or servicewide promotional registers under s. ER-MRS 11.02 (2).

**(2)** The director shall determine which entry professional job classifications may be filled under this subchapter, pursuant to criteria established by the director in ch. ER 8.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; corrections in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1994, No. 466.

**ER-MRS 8.22 Recruitment. (1)** The appointing authority shall develop a comprehensive recruitment plan for each job announcement on a form provided by the administrator.

**Note:** The recruitment form may be obtained from the Division of Merit Recruitment and Selection in the Office of State Employment Relations, P.O. Box 7855, Madison, WI 53707-7855.

(2) The appointing authority shall submit the plan for the administrator's approval before announcing the position vacancy or beginning recruitment activities. The administrator shall decide whether the plan complies with this subchapter's requirements and intent.

(3) The recruitment plan shall include measures to achieve equal employment opportunities and affirmative action policies, standards and plans established under ss. 230.01 (2) and 230.04 (9), Stats.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92.

**ER-MRS 8.23 Assessment of applicants.** (1) The appointing authority shall develop a plan to assess applicants and establish an employment register. The appointing authority shall obtain approval of the plan from the administrator before announcing the position vacancy or beginning recruitment activities. The administrator shall determine whether the plan complies with this subchapter's requirements and intent and whether the plan includes valid, job-related assessment criteria.

(2) All applicants shall be admitted to the initial assessment process, but only those applicants who meet the assessment criteria for the position may be given further consideration.

(3) The assessment plan shall include the assessment techniques and criteria to be used to rate applicants. The assessment techniques and criteria shall include an evaluation of the applicant's qualifications which may be based on an evaluation of advanced educational achievements and relevant experience, written examinations, oral examinations, performance exercises, an evaluation of writing samples or other methods approved by the administrator. Additional assessment techniques may be used after the initial applicant evaluation to decrease or increase the number of applicants to be given further consideration in the hiring process.

(4) The assessment techniques may result in applicants being categorized into groups such as "eligible" or "ineligible" or other rating categories approved by the administrator.

(5) Not more than 25% of all vacancies in all entry professional positions, on an annual basis, may be limited to persons with degrees from institutions of higher education, as defined in s. 108.02 (18), Stats., or degrees under an associate degree program, as defined in s. 38.01 (1), Stats. Vacancies may not be limited to persons with degrees without the approval of the administrator.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92.

**ER-MRS 8.24 Certification.** (1) With the approval of the administrator, the appointing authority shall determine the number of applicants to interview. The determination shall be designed to produce a manageable number of qualified applicants to be interviewed and shall be based on job-related assessment and affirmative action criteria.

(2) The administrator may provide an appointing authority with additional names of qualified applicants from affirmative action groups in order to comply with an approved affirmative action plan or program or to hire persons with handicaps. The number of names shall not be limited to the number specified in s. 230.25 (1n) (a), Stats.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92.

**ER-MRS 8.25 Registers.** An applicant included on a register shall remain on the register for the time period specified in the appointing authority's assessment plan, but for not less than 6 months.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92.

**ER-MRS 8.26 Review of entry professional program.** **History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; **CR 04-138: r. Register June 2005 No. 594, eff. 7-1-05.**

**ER-MRS 8.27 Effect of other laws and rules.** The provisions of ch. 230, Stats., and chs. ER-MRS 6, 11 and 12 which do not conflict with this subchapter shall apply to appointments made under this subchapter.

**History:** Cr. Register, March, 1992, No. 435, eff. 4-1-92; correction made under s. 13.93 (2m) (b) 7., Stats., Register, October, 1994, No. 466.