

# Wisconsin Human Resources Handbook

## Chapter 224

### Limited Term Employment

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#### Sec. 224.010 Introduction

This chapter provides guidance and oversight to ensure that agency activity with respect to classification, compensation, recruitment and selection of Limited Term Employees (LTEs) complies with applicable state laws and administrative rules.

#### Sec. 224.020 Statutory and Rule Authority

1. “The administrator may provide by rule for selection and appointment for limited term appointments, which are provisional appointments or appointments for less than 1,044 hours per year.” s. 230.26(1), Wis. Stats.
2. “‘Limited term appointment’ means the appointment of a person to perform a grouping of duties and responsibilities on a non-project basis under conditions of employment which do not provide for attainment of permanent status under s. 230.26(1), Stats.” s. ER-MRS 1.02(13), Wis. Adm. Code
3. “Except as provided in par. (b), an appointing authority is prohibited from appointing a person who is not a resident of this state to a limited term appointment.” s. 230.26(1m)(a), Wis. Stats.
4. “The administrator may waive the prohibition under par. (a) if the appointed person’s permanent work site is located outside this state.” s. 230.26(1m)(b), Wis. Stats.
5. “If there are urgent reasons for filling a vacancy in any position in the classified service and the administrator is unable to certify to the appointing authority, upon requisition by the latter, a list of persons eligible for appointment from an appropriate employment register, the appointing authority may nominate a person to the administrator for noncompetitive examination. If the nominee is certified by the administrator as qualified, the nominee may be appointed provisionally to fill the vacancy until an appointment can be made from a register established after announcement of competition for the position, except that no provisional appointment may be continued for more than 45 working days after the date of certification from the register. Successive appointments may not be made under this subsection. This subsection does not apply to a person appointed to a vacant position in the classified service under s. 230.275.” s. 230.26(2), Wis. Stats.

6. “Fringe benefits specifically authorized by statutes, with the exception of deferred compensation plan participation under subch. VII of ch. 40, worker’s compensation, unemployment insurance, group insurance, retirement and social security coverage, shall be denied employees hired under this section. Such employees may not be considered permanent employees and do not qualify for tenure, vacation, paid holidays, sick leave, performance awards or the right to compete in promotional examinations.” s. 230.26(4), Wis. Stats.
7. “If the administrator determines that an agency is not in compliance with the requirements of, or rules related to s. 230.26(5) sub. (1), (1m) or (2), Wis. Stats., regarding a particular employee, the administrator shall direct the appointing authority to terminate the employee.” s. 230.26(5), Wis. Stats.
8. “The total time worked in any one position by an individual limited term employee shall not exceed 1043 hours of employment during a block of time which consists of 26 consecutive biweekly payroll periods and which ends on the anniversary date of the appointment. The maximum time durations for provisional appointments are provided under s. 230.26, Wis. Stats.” s. ER 10.01, Wis. Adm. Code
9. “In order to safeguard the public interest, recruitment and selection procedures must be approved by the administrator, and the appointing authority shall maintain such records of the procedures followed in making limited term appointments as are determined to be necessary by the administrator. Limited term appointments shall be made so as to contribute to a competent work force with due consideration given to affirmative action.” s. ER-MRS 10.04(2), Wis. Adm. Code.
10. The Compensation Plan governs the pay of limited term employees in the classified and unclassified service.
11. “. . . No employee may recommend or make a limited term . . . appointment when the person to be hired is a member of the employee’s immediate family.” s. ER-MRS 24.04(2)(e), Wis. Adm. Code.

#### Sec. 224.030 Definitions

1. **Immediate Family:** An employee’s spouse and an employee’s relatives by marriage, consanguinity or adoption, and any other person who directly or indirectly receives more than one-half of their support from the employee, or from whom the employee directly or indirectly receives more than one-half of his or her support. See s. ER-MRS 24.03(5), Wis. Adm. Code.
2. **Limited Term Appointment:** The appointment of a person to perform a grouping of duties and responsibilities on a non-project basis under conditions of employment which do not provide for attainment of permanent status. s. ER-MRS 1.02(13), Wis. Adm. Code
3. **Limited Term Employment:** Employment in which the nature and conditions do not permit attainment of permanent status in class for which the use of normal procedure for recruitment and examination are not practicable. s. ER-MRS 1.02(14), Wis. Adm. Code
4. **Position:** A group of duties and responsibilities in either the classified or unclassified divisions of the civil service, which require the services of an employee on a part-time or full-time basis. s. 230.03(14), Wis. Stats.

#### Sec. 224.040 Limited Term Appointments

1. Limited term employees are hired for positions which are temporary and for which the individual will not attain permanent status. LTEs are limited to working less than 1044 hours per year. When hiring a LTE, agency staff must complete a Limited Term Employment Request/Report form (OSER-MRS-50). (An electronic version is on our web site at <http://oser.state.wi.us/docview.asp?docid=1207>.) See Attachment #1

for instructions on completing the form.

2. Agencies must appoint a person for an LTE position who is a Wisconsin resident. There are some exceptions where a non-resident may be hired. (See section 224.110 of this handbook chapter for information on these exceptions and handling out-of-state recruitments.) The definition of a Wisconsin resident can be found in s. 230.03(12), Wis. Stats. It states:

“Resident of this state” means a person who, on the date an application under s. 230.16(1) is filed:

- (a) Has established a residence, as defined in s. 6.10(1), in this state not less than 10 days earlier;
- (b) Has resided in this state for not less than a total of one year out of the immediately preceding 5 years;
- (c) Is eligible to register to vote in this state; or
- (d) Is the spouse of a person meeting the requirements of par. (a), (b), or (c).”

Section 6.10(1), Wis. Stats., states:

“The residence of a person is the place where the person’s habitation is fixed, without any present intent to move, and to which, when absent, the person intends to return.”

A person who is eligible to register to vote must be at least 18 years of age as of election day, a United States citizen, and a Wisconsin resident for 10 days (see ss. 6.02 to 6.15, Wis. Stats.).

## **Sec. 224.050 Multiple Limited Term Employment Appointments**

### 1. Different Positions

Concurrent limited term appointments are generally discouraged since there is a 1043-hour annual limitation on accumulated work hours. However, multiple LTE appointments may be allowed if they are for different positions. The following factors must be considered when reviewing multiple LTE appointments for purposes of determining whether or not they are different. All factors will be considered collectively; no one factor will be determinative.

- a. At least 50% of the duties of each LTE position must be different from the duties of the other LTE position held.
- b. A different classification title or official subtitle is appropriate for each position.
- c. A different recruitment option title in certain circumstances when the classification title is the same, e.g., Teacher – Special Education or Teacher – Family and Consumer Education. If a recruitment option title would be used if announcing the position to be filled permanently, supply that recruitment option title on the LTE Request/Report form.
- d. A personnel movement defined as a transfer, rather than management reassignment of work duties, would occur if the positions were permanent.
  - 1) Transfer occurs when the person moves without the position; i.e., the person moves but the set of duties and responsibilities remains.
  - 2) Management reassignment of work duties occurs when the work assignments of the position change, i.e., the duties change within the position.
- e. Different supervisors.
- f. Different program areas.

- g. Different geographic locations within the employing unit, e.g., different buildings.
2. Concurrent LTE appointments in different positions within the same agency.
- a. Individuals may hold two or more concurrent appointments in different positions within the same agency and same employing unit.
  - b. Individuals may hold two or more concurrent appointments in similar positions if the positions are in different employing units. In some cases, it may be possible to allow an individual to hold similar positions in different subunits of the agency. In order for this to be acceptable, the “different position” factors must be considered (see #1—Different Positions above).

- 1) Example: A typist in the UW-Madison Physical Plant and a typist at UW-School of Education (two different employing units of UW-Madison) constitute two different positions.
- 2) Example: The Department of Administration is a single employing unit. A typist LTE position at the Department of Administration reporting to supervisor A in one work unit and a typist LTE position reporting to supervisor B in a different work unit within the Department of Administration may constitute two different positions. However, each situation must be evaluated using the factors in #1 (Different Positions) of this section in order to determine whether the two sets of assigned duties are separate and distinct enough to be considered separate positions.
- 3) Example: A different class level within a progression series does not constitute a different position when held in the same employing unit.

3. Concurrent LTE appointments in different agencies
- a. Individuals may hold two or more concurrent LTE appointments when each appointment is located in a different agency.
  - b. In the case of different agencies, it is not necessary that the appointments have a different primary job purpose.

Example: An individual may hold a typist position at DNR and a second typist position at DOT concurrently.

4. Successive LTE appointments in the same agency

Successive limited term appointments of up to 1043 hours are permissible if the employee is working in bona fide different positions. While the length of any one LTE position (set of duties and responsibilities) may exceed 1043 hours, an individual is limited by statute to working a maximum of 1043 hours in that position. If the employee reaches the hourly limit but the work of the position continues, the employee must be terminated and a new LTE appointed. In situations where the hours worked by an LTE will never reach the 1043-hour limit by the anniversary date, the individual may continue in the same position.

**Cautions:**

- a. Incorrectly classifying LTE positions in order to continue an employee in a position for more than 1043 hours is a violation of the LTE statutes and rules.
- b. The actual changing of the duties and responsibilities significantly enough to change the classification of the job may be appropriate if the change in classification is not simply a different class level within a progression series.

**Sec. 224.060 Dual Employment of State Employees as LTEs**

An Attorney General’s opinion (77 Op. Att’y Gen. 245, 245[1988]) discusses restrictions which s. 16.417(2), Wis. Stats., imposes on dual state employment of civil service employees. Please be aware of these restrictions when considering limited term employment of a permanent civil service employee. Key points covered by s. 16.417(2), Wis. Stats., include:

1. An individual who is employed or retained in a full-time position with a state agency or authority may not earn more than \$12,000 in an additional position with any state agency or authority. (The amount of \$12,000 is the limit as of the date of this release.)
2. No agency or authority may employ any individual in violation of this limitation.
3. The Department of Administration shall annually check to ensure that no individual violates the \$12,000 additional earnings limit.
4. The Department of Administration shall order any person in violation to repay the portion of economic gain in excess of \$12,000.
5. The statute does not apply to an individual, other than an elected state official who has a full-time appointment for less than 12 months, during any time not included in the appointment.

Please refer to the statutes and the Attorney General’s opinion for more specific information.

**Sec. 224.070 Classification for LTEs**

1. “Classification titles for [LTE] appointments shall be determined in accordance with the provisions of the limited term classification and pay schedule or be consistent with other classifications identified in the classification plan.” s. ER 10.02(1), Wis. Adm. Code
2. If a classification used for a permanent position adequately describes the work assigned to an LTE position, the permanent classification title should be used.
3. There may be situations where no permanent classification adequately describes the work assigned to the LTE position. In those cases, it is necessary to classify the duties using one of the classifications contained in the Compensation Plan that are exclusively for LTE positions assigned to Pay Schedule 18. These LTE classifications are also reflected in the Alphabetical Listing of Classifications. LTE titles in pay schedule 18 are intended for use only in situations where no parallel classification exists in the permanent classified service. The Professional Consultant LTE classification should be used only if there is no existing classification that fits the job duties assigned.

**Sec. 224.080 Compensation for LTEs**

Pay rates for LTE appointments “shall be in accordance with the provisions of the limited term pay schedule.” s. ER 10.02(2), Wis. Adm. Code. See Wisconsin Compensation Plan, Pay Schedule 18 for details. Typically, LTEs are paid at or below the minimum of the pay range for the classification to which the job duties are assigned. There may be exceptions, which allow a LTE to be paid at a higher rater. They are as follows:

1. Usual and Customary Fee – Requests for use of the LTE classifications that are paid on a “usual and customary fee” basis must be accompanied by documentation that reflects the requesting agency’s rationale for establishment of that rate of pay. The supporting documentation should include such information as: (1) labor market data; (2) a letter from the applicant indicating the usual and customary fee s/he has charged for

providing similar services to other employers and comparison by the agency of the work performed for the other employer to the work assigned to the LTE position; or (3) other pertinent data, as determined by OSER, that supports the requested rate of pay, such as verification of the fee by the former employer. This documentation is necessary even in cases where a rate has previously been approved for a particular set of duties, due to fluctuation in labor market rates and possible changes in the customary fees charged by individuals.

2. **Prevailing Wage Rate** – Requests for use of the LTE classifications that are paid on a “prevailing wage rate” basis must be accompanied by documentation that reflects the requesting agency’s rationale for the rate of pay. The Department of Workforce Development, Division of Equal Rights, Bureau of Labor Standards, Construction Wage Standards Section, determines the area prevailing wage rates paid throughout the state for Crafts Worker positions. Agencies are encouraged to use this resource in securing prevailing wage rate information. The prevailing rate will be adjusted if the LTE becomes Wisconsin Retirement System eligible.
3. **Other Pay Rate Options** –
  - a. **Dual LTE and Permanent Positions:** An LTE who is also a current classified permanent employee and whose duties and responsibilities of the LTE position are related to those of the permanent position, may be paid at a rate higher than the pay range minimum but may not be paid higher than the employee’s permanent rate of pay. However, the base pay rate may not exceed the maximum of the pay range for the counterpart permanent class of the LTE position.
  - b. **Hiring Above the Minimum:** A HAM for an LTE position may be requested. The procedures to follow are found in Wisconsin Human Resources Handbook Chapter 508.

**Note:** At the time this policy was published, the labor agreement between the State of Wisconsin and the WSEU specifically prohibits use of hiring above the minimum for permanent positions represented by WSEU. Consequently, that prohibition is also extended to limited term positions in classifications that are used to classify the permanent positions represented by the WSEU.

- c. **Broadband Pay Range:** An LTE position allocated to a classification in a broadband pay schedule may be paid any rate between the minimum and the appointment maximum for the pay range of the classification.
  - d. **Raised Minimum Rate (RMR):** An RMR in effect for permanent positions in the same classification as an LTE who is performing at the same level as a permanent classified employee may be paid at the RMR.
  - e. **Reinstatement/Restoration:** An LTE who is a former classified permanent employee with reinstatement eligibility or restoration rights to the applicable permanent classification and the duties of the LTE position are similar to those of the previous permanent position(s) may be paid according to the reinstatement or restoration provisions of the applicable contract or Compensation Plan (to whichever one would refer if the position were permanent).
  - f. **Temporary Appointment Maximum (TAM):** A TAM for an LTE position may be requested if the classification used is included in a broadband pay range. The procedures to follow are found in Wisconsin Human Resources Handbook Chapter 560.
4. **Not to Exceed the Minimum** – Some pay rates of the LTE classifications listed in Pay Schedule 18 indicate a “not to exceed minimum PR \_\_ - \_\_.” LTE positions may be paid a lower rate. However, they must be paid at least the state or federal minimum wage, whichever is greater, unless a lower wage is authorized under the Fair Labor Standards Act (FLSA). There are lower federal minimum wage rates for work as a waitress or in agriculture performing farm duties.

**Sec. 224.090 FLSA Considerations for LTEs**

All LTEs are considered non-exempt (with the exception of physicians, dentists, attorneys, teachers, and employees described in Chapter 520—Administration of the Federal Fair Labor Standards Act and Wisconsin Statutes of the *Wisconsin Human Resources Handbook*).

1. Concurrent LTE appointments within the same agency:
  - a. For non-exempt LTEs occupying more than one LTE position, FLSA combines all hours worked within a work week within the agency to determine the total hours worked in any given work week.
  - b. No distinctions are made for different employing units of the agency or different LTE positions functioning in different capacities.
2. Concurrent LTE appointments in different agencies: FLSA counts hours worked for each agency separately unless a joint employment situation exists. See Chapter 520—Administration of the Federal Fair Labor Standards Act and Wisconsin Statutes. Also see Section 224.050 of this handbook chapter regarding dual employment of state employees as LTEs and the Attorney General's opinion (77 Op. Att'y Gen. 245, 245[1988]) regarding dual employment.

**Sec. 224.100 Recruitment Procedures**

1. Section ER-MRS 10.04(1), Wis. Adm. Code, provides that recruitment and selection procedures as set forth in Chapter 230, Wis. Stats., may be modified to expedite the appointment process of LTEs. Following is a list of suggestions for selection of LTEs. These suggestions are designed to ensure fairness in LTE selection and to enhance consistency among agencies' LTE hiring processes.
  - a. Job-related qualifications for positions should be determined by employing agencies based on their evaluation of the requirements of the position.
  - b. Some resources to consider when seeking LTEs are:
    - 1) Reemployment of persons collecting unemployment compensation benefits from the employing agency.
    - 2) Open registers established for that classification or a related classification. Rank order in making selections is not necessary.
    - 3) Referrals from the Affirmative Action Officer within the employing agency. The agency goal to establish a balanced workforce should be considered when appointing LTEs.
    - 4) Persons who are in layoff status from the employing agency or from other state agencies.
    - 5) Referrals from the W-2 program.
    - 6) Persons who have retired from State civil service.
2. Section ER-MRS 24.04(2)(e), Wis. Adm. Code states that "No employee may recommend or make a limited term or project appointment when the person to be hired is a member of the employee's immediate family." (For the definition of "immediate family," see section 224.030 of this handbook chapter.)

**Sec. 224.110 Out-of-State Recruitment**

1. Section 230.26(1m)(b), Wis. Stats., states that the DMRS Administrator may waive the Wisconsin residency requirement if an appointed person's permanent work site is located outside of the state.
2. There are situations where agencies have work sites outside of Wisconsin and may need to employ LTEs at those sites. When this occurs, it is in the best interest of the agency to hire someone who lives near the work site, which generally means that the individual will not be a Wisconsin resident.
3. Agencies should submit their requests for waiver of the residency requirement to the DMRS Administrator. Requests should include information such as: LTE position title, the location of the work site, and the reason for hiring a non-resident.
4. Agencies who need to make frequent LTE hires out-of-state may request delegation of authority for making these hires. The request for delegation should be submitted to the DMRS Administrator.

**Sec. 224.120 Provisional LTE Appointments**

1. Provisional appointments may be made to fill vacancies in the classified service in accordance with s. 230.26(2), Wis. Stats. A person may be appointed provisionally to fill a vacancy if no one is eligible for appointment from an appropriate employment register.
2. All LTE requests for provisional appointments, whether paper or electronic, must be submitted to the DMRS Administrator for approval prior to making an employment offer.

**Note:** The Certification Request Number, Class Code and Position Number for the permanent position against which the provisional appointment is being made must be entered on the lines following the "PROVISIONAL" box on the Limited Term Employment Request/Report form.

3. Upon receipt of the provisional appointment request, the DMRS Administrator will determine if the nominee is qualified for the position. Information submitted by the agency to the Administrator must include documentation regarding the candidate's qualifications.
4. If a nominee is found to be qualified, and DMRS has supporting evidence that action to fill the position on a permanent basis has begun, the request for provisional appointment will be approved and returned to the agency for completion of the hiring information.
5. Provisional LTEs are not subject to the 1043-hour limitation. However, no provisional appointment may be continued for more than 45 working days after the date of certification from a register.
6. No successive provisional appointments are allowed.

**Sec. 224.130 LTE Benefits**

In accordance with s. 230.26(4), Wis. Stats., fringe benefits specifically authorized by statutes, with the exception of worker's compensation, unemployment compensation, group insurance, retirement and social security coverage, shall be denied to LTEs. LTEs do not qualify for tenure, vacation, paid holidays, sick leave, performance awards or the right to compete in promotional examinations. In accordance with s. ER 10.045, Wis. Adm. Code, the eligibility of LTEs for worker's compensation, unemployment compensation, group insurance, retirement benefits and social security are subject to controlling conditions relating to these benefits.

1. Absences. Under certain circumstances, LTEs may be eligible for benefits under the provisions of s. 103.10, Wis. Stats., regarding Family/Medical Leaves of Absence. See Chapter 724—Family and Medical Leave of the *Wisconsin Human Resources Handbook* for information regarding eligibility.
2. Retirement. The eligibility criteria for participation in the Wisconsin Retirement System (WRS) is established by ch. 40, Wis. Stats., and administered by the Department of Employee Trust Funds (ETF). See ss. 40.02(26) and 40.22, Wis. Stats., and the Wisconsin Retirement System Administration Manual for information regarding participating employees ([http://etf.wi.gov/employers/manual\\_health\\_local.htm](http://etf.wi.gov/employers/manual_health_local.htm)).
  - a. The employer must determine, in accordance with the applicable statutes, rules and policies of the Department of Employee Trust Funds whether an LTE has met the participation requirements.
  - b. LTEs have the right to appeal ineligibility determination made by their employer to the Department of Employee Trust Funds under ss. 40.03(1)(j) and 40.06(1) (3), Wis. Stats.
  - c. Each state agency is considered a separate employer under the WRS. Therefore, an LTE's services for each agency must be considered separately when determining eligibility for or continuation of coverage.
  - d. An LTE must meet the eligibility criteria for each employer in order to be reported for retirement by each employer.
3. Group Insurance. The eligibility criteria for participation in group insurance programs is also established by Chapter 40, Wis. Stats., and administered by the Department of Employee Trust Funds. Refer to s. 40.02(25), Wis. Stats., and the applicable ETF Employer Administration Manual for information regarding participation requirements ([http://etf.wi.gov/employers/manual\\_health\\_local.htm](http://etf.wi.gov/employers/manual_health_local.htm)).

#### **Sec. 224.140     LTE Status**

1. Agencies have the responsibility of informing LTEs of their status at the time a limited term appointment is made. LTEs must be given an acknowledgment that includes:
  - a. An explanation of the nature of limited term employment, specifically stating that it does not lead to permanent status.
  - b. An explanation of the potential benefits available to the LTE.
  - c. A brief summary of the laws and administrative rules governing limited term employment.
  - d. An explanation of the Administrator's authority to terminate an LTE's employment under s. 230.26(5), Wis. Stats., if the agency does not comply with the laws and administrative rules.
  - e. A place for the appointee and the appointing authority or designee to sign the acknowledgment.

A sample Limited Term Employment Acknowledgment form (OSER-MRS-154) is attached (Attachment #2). (An electronic version is located at <http://oser.state.wi.us/docview.asp?docid=1208>.) If used, the completed form must be kept on file with the agency's copy of the LTE Request/Report form.

### Sec. 224.150 Record Keeping

1. The LTE Request/Report form must be filled out in its entirety. (This form is on our web site at <http://oser.state.wi.us/docview.asp?docid=1207>.) It is especially important to enter specific duties of the position and information concerning previous employment. For LTEs who are being rehired within the same employing unit, attach a position description for both the old appointment and the new appointment if they are within a block of time consisting of 26 consecutive pay periods. The employee must sign the form.
2. By definition, LTEs are allowed to work a maximum of 1043 hours in any one position within 26 consecutive pay periods. Agencies must track the number of hours LTEs accumulate to ensure that they do not exceed the limit established by law.
3. Each agency is responsible for monitoring limited term appointments on a continuing basis to ensure that LTEs do not exceed the hours allowed, to confirm that LTE rehires comply with the requirement to work in different positions, and to keep track of LTE eligibility for retirement and insurance benefits and FLSA coverage.
4. The DMRS administrator may monitor to determine whether agencies are in compliance with statutes and administrative rules relating to limited term employment. If the administrator determines that an agency is not in compliance with the requirements, he or she will direct the appointing authority to terminate the employee. (See s. 230.26(5), Wis. Stats.)
5. Agencies are responsible for maintaining copies of the completed LTE Request forms for one year from the last day that the employee is on the payroll. It is no longer necessary or required that a copy be sent to OSER. The completed forms are subject to inspection by the DMRS Administrator or staff member designated to monitor the program.

**Note:** Electronic versions of the LTE Request form that contain the same information as the OSER form may be used upon OSER approval.

### Sec. 224.160 Administrative Information

This chapter was originally numbered Chapter 212 of the Wisconsin Personnel Manual-Staffing and supplemented Chapter 344 of the Wisconsin Personnel Manual-Administration, Classification and Compensation. It was revised and published jointly by DER's Divisions of Merit Recruitment and Selection and Classification and Compensation on June 1, 1989. At that time, it was renumbered to Chapter 224, *Wisconsin Personnel Manual-Staffing* and Chapter 344, *Wisconsin Personnel Manual-Administration*. The policy changes reflected in the chapter included: the definition of "different position" and factors to consider when determining a different position; an Attorney General's Opinion (OAG55-88) regarding a civil service employee who holds more than one position; and the procedures to follow for appointment of provisional limited term employees.

This chapter now becomes part of the *Wisconsin Human Resources Handbook*. It incorporates policies and procedures from Bulletin MRS-95 & CC-194, dated June 1, 1989; that bulletin is now obsolete. The chapter also reflects a change in policy regarding the provisional LTE approval process.

In November 2003, the chapter was revised to include a section on the Wisconsin residency requirement for LTEs and an attachment was added that provides instructions on completing the LTE Request/Report form. In addition, agencies are now delegated the authority to maintain their own copies of the completed LTE Request/Report forms.

**INSTRUCTIONS FOR COMPLETING THE  
LIMITED TERM EMPLOYMENT REQUEST/REPORT (OSER-MRS-50)**

Delegated/Non-Delegated: Check the appropriate box based on the delegated classification agreement between the Office of State Employment Relations (OSER) and the agency. The LTE requests checked “Non-Delegated” must be submitted to OSER for approval.

Trans Cd: Enter appropriate payroll code.

SSN: Enter employee’s Social Security Number.

√: Enter the check digit. Leave the check digit blank for new employees.

Name (Last Jr./Sr., First Mid Initial) (0106): Enter the employee’s full last and first name and middle initial in the indicated format. The total number of characters cannot exceed 30.

Request No.: Assign a LTE request number using the agency’s own numbering system for LTE Requests. **Note:** A system that includes the year in the number may be helpful.

Agency No.: Enter the 3-digit agency code.

Appt #: Enter appropriate appointment number.

Effective Date: Enter the date the LTE appointment is effective in MMDDYY format. (Example: November 3, 2003 = 110303)

Sec Lv (2026): Enter 3-digit agency secondary level code, if applicable. If not, leave blank.

Home Address – No. & Street (0285): Enter employee’s home mailing address including street name and number, box, or route identification. Do not exceed 25 characters.

City (0286): Enter employee’s home city, not to exceed 12 characters.

State (0287): Enter employee’s home state; use 2-character abbreviation.

Zip (0288): Enter employee’s home zip code.

Name of Agency/Employing Unit: Enter formal agency name and name of the employing unit (if the agency has more than one employing unit.)

Mailing Address – P.O. Box (0208): Enter employee’s mailing address if different from the home address listed in section 0285.

City (0209): Enter employee’s city if the mailing address is different from the home address.

State (0210): Enter employee’s state if the mailing address is different from the home address.

Zip (0211): Enter employee’s zip code if the mailing address is different from the home address.

Area Code (0289): Enter employee’s home telephone area code.

Home Phone (0290): Enter employee's home telephone number.

Hm County (0207): Enter employee's home county.

Pay Disp (0270): Enter the appropriate payroll code.

The following are used for electronic deposit of payroll checks. Enter the appropriate codes for:

Bank Transit # (0271)

Account # (0272)

Acct Type (0273)

Check Sort (0218): Enter agency assigned numeric code not to exceed 5 digits, if applicable.

Sex (0274): Enter M for male or F for female.

Birth date (0201): Enter 6-digit code in MMDDYY format. (Example: November 2, 1963 = 110263)

Handicap (0277): Enter the appropriate payroll code.

Ethnic (0276): Enter one of the following codes for each appointment:

- 1 = Black
- 2 = Asian or Pacific Islander
- 3 = American Indian or Alaskan Native
- 4 = Hispanic
- 5 = White

Vet Status (0204): Enter the appropriate payroll code values.

Prim Sec Lv (0199): Enter the appropriate payroll code

Employee Free Space (0219): Agency can define and use for its own purposes. (Limited to 15 characters.)

Employment Type (2101):

- 10 = Short Term – LTE appointments which will require no more than a total of 1,043 hours.
- 23 = Provisional – Appointments which are made in accordance with s. 230.26(2), Wis. Stats. An employee may be “appointed provisionally to fill a vacancy until an appointment can be made from a register established after announcement of competition for the position, except that no provisional appointments may be continued for more than 45 working days after the date of certification from the register.” **Note:** The Certification Request number for the permanent position against which the provisional appointment is being made must be entered in the *OSER Completes* section.

LTE Position No. (2034): Optional use by agencies.

District Code (2027): Enter appropriate agency District code, if required by agency.

Organization Code (2104): Enter appropriate agency organization code, if required by agency.

Employing Unit Code (2103): Enter the 6-digit employing unit code.

Work Street (2130): Enter the name of the street in which the work is to be performed or of the official workstation. (Limited to 15 characters.)

City (2131): Enter the name of the city in which the work is to be performed or of the official workstation. (Limited to 12 characters.)

State (2132): Enter the 2-character code for the state in which the work is to be performed or of the official workstation.

Zip (2134): Enter the zip code of the city in which the work is to be performed or of the official workstation.

Wk County (2133): Enter the county in which the work is to be performed or of the official workstation.

Work Schedule (2108): Enter appropriate schedule code.

Start Date Present Class (2033): Enter the date the LTE actually starts work in MMDDYY format. This is usually the same as the date as the “Effective Date.”

Retirement Category (2124): Enter appropriate payroll code. **Note:** LTEs normally are not eligible to participate in the Wisconsin Retirement Fund. Check eligibility with the Department of Employee Trust Funds prior to completion of this item. If the employee is not eligible, leave this item blank.

Base Pay Type (2006): No entry required.

Base Pay Amount (2121): Enter the hourly base pay for the LTE in the appropriate spaces to the right and left of the indicated decimal point. The pay must be reported to three decimal places. This rate should be the minimum of the Pay Range for the permanent class unless a provision applies (see section “If hired above min. of comparable permanent class . . .”).

Work Room (2129): Enter the number of the work room, if any.

Area Code (2135): Enter work telephone area code (3 digits).

Work Phone (2136): Enter work telephone number (7 digits).

HAM RMR Ind (2147): Enter appropriate payroll code.

Appt Fee Space (2142): Agency can define and use for its own purposes. (Limited to 15 characters.)

Class Code (2004): Enter the appropriate 5-digit class code as listed in the current Classification Plan (for permanent classes) or the LTE Schedule of the Compensation Plan (for LTE classes). The class code automatically generates the pay schedule, range, EEO and the formal classification title on the electronic records for all classified positions on the Central Payroll system.

Class Title: Enter the complete classification title including “trainee” designation, if applicable, as listed in the current Classification Plan or the LTE Schedule of the Compensation Plan.

**Note:** The use of the “trainee” designation means that: (1) the LTE is being employed in a situation that involves either formal or informal training; (2) the knowledges, skills, and/or abilities of the employee hired are lower than those normally required of an employee in the counterpart permanent classification; (3) and/or the duties and responsibilities assigned to the LTE are less complex and/or responsible than those normally assigned to a permanent employee in the same classification and there is no lower level permanent classification which is applicable.

Those permanent classifications which include a separate “confidential, supervisory, or management” designation may not be used for LTE positions if there is a direct parallel classification that does not include such designation. If the confidential, supervisory, or management exclusion is incorporated in the classification and that classification is the most appropriate available for the duties and responsibilities to be performed, it may be used for the LTE despite the built-in collective bargaining exclusion.

Sched: Enter the appropriate Pay Schedule for the classification level being used as listed in the current Classification Plan.

Range: Enter the appropriate Pay Range for the classification level being used as listed in the current Classification Plan.

EEO Cat: Computer generated.

Transfer Information:

Emp Rec (0007): Enter Y to transfer record from former agency.

From Agcy # (0008): Enter former agency number.

Tax (0009): Enter Y to transfer tax withholding from former agency.

Misc Ded (0014): Enter Y to transfer miscellaneous deductions from former agency.

Accounting Line Detail:

(3001-3020): Enter appropriate funding detail.

Fed-Marital (0125): Enter the appropriate payroll code

Exemptions (0126): Indicate the number of Federal Tax Exemptions claimed on the Employees Withholding Exemption Certificate (W-4 form).

Add'l Amount (6023): Enter the amount (dollars and cents) of additional Federal Tax an employee elects to have deducted every pay period.

FICA Elig (0129): Enter the appropriate payroll code

State of Empl (0154): Enter the appropriate payroll code

State of Res (0153): Enter the appropriate payroll code

State Marital (0127): Enter the appropriate payroll code

Exempt (0128): Indicate the number of State Tax Exemptions claimed on the Employee's Wisconsin Withholding Exemption Certificate (WT-4).

Add'l Amount (6026): Enter the amount (dollars and cents) of additional State Tax an employee elects to have deducted every pay period.

Duties of position: Describe as completely as possible the duties and responsibilities to be assigned to the LTE.

**Note:** A copy of the Position Description used to describe the permanent position should be attached in the case of Provisional appointments, and a Position Description may be used to describe the duties of an LTE if that format is necessary for a proper classification decision, for determination of Hiring Above the Minimum, and/or for providing information to the LTE employee. Any other information that is pertinent to the LTE appointment may also be included in this section or attached to the LTE Request.

Previous State Employment: Check either yes or no based on the LTE's previous work history. If yes is checked, check the current permanent employee, former permanent employee, or LTE box in the next section. **Note:** If the applicant worked as an unclassified employee or a student, do not check any box.

Agency where last employed: If the LTE had previous state employment, enter the name(s) of the agency(ies) and division in which the applicant was employed.

WRS Annuitant: Check either yes or no.

If hired above min. of comparable permanent class check reasons: Check appropriate box, if applicable.

Additional training or experience. Attach approved form OSER-DCC-43.  
Former permanent employee. Include class title.  
Former pay rate. Include amount and ending date.

Justification for Provisional LTE: Check the appropriate box. OSER completes.

Cert. Req. No.: Enter the Certification Request number for the permanent position against which the provisional appointment is being made.

Position No.: Enter the position number.

Approved/Denied: The DMRS staffing specialist with check the appropriate box, include the date of his or her decision, and note their name in the DER Analyst area.

Approval Information:

Nominee is on existing register. Check box if person is on the register for the classification being filled. Indicate the register title, the applicant's score, and the expected date of hire.

Is there an existing exam? Check box if the nominee is not on an existing register but an exam is available that could be administered. Check yes or no and include the appropriate agency contact person and telephone number.

If no, is there documentation identifying nominee qualifications? Check yes or no. Information pertaining to the applicant's qualifications should be attached for review.

Employee Signature and Date: This section is designed to ensure that employees are properly informed about the type of employment they are accepting. It is necessary for the agency to have one signed and dated copy on file, i.e., in the employee's "P" file. The copy should be placed on file before or during the first weeks of employment.

Appointing Authority Signature and Date: This area must be signed and dated by an authorized party, i.e., someone who is authorized by the appointing authority to sign personnel documents. The person signing should note the contents of this statement since the appointing authority will be held directly accountable for any violations that occur. The signing of this item certifies that the agency has determined that "the employee is qualified to perform the duties" as determined by normally acceptable techniques. Information necessary to support this determination must be maintained in the agency's files for monitoring purposes.

Division of Classification and Compensation Approval (Non-Delegated): (Please note that at the time the LTE Request/Report was last revised, approval was given by the former Division of Classification and Compensation. Approval is now given by the Division of Merit Recruitment and Selection.) This area is to be signed and dated only by an authorized representative of the Office of State Employment Relations, Division of Merit Recruitment and Selection, Bureau of Occupational Analysis.

Agency Approval (if different than above) (Delegated): This area is to be signed and dated only by an authorized representative of the agency human resources office in those cases where the classification decision and all other aspects of the LTE approval have been specifically delegated to the agency. This signature represents approval of the class level, the pay rate, the type of LTE category used, and the hiring of a particular individual into the specified LTE job.

Attachment #2

State of Wisconsin  
Office of State Employment Relations  
Division of Merit Recruitment and Selection

**LIMITED TERM EMPLOYMENT ACKNOWLEDGMENT**

I understand that limited term employment does not give me rights to any permanent civil service position, and does not lead to permanent status.

I understand that as a limited term employee, I am not eligible for tenure, paid time off (e.g., compensatory time off, vacation, holidays, sick leave), performance awards or the right to compete in promotional exams.

I understand that as a limited term employee, I may be eligible for worker's compensation, unemployment compensation and social security coverage.

I understand that as a limited term employee, I may become eligible for group insurance and retirement benefits under Ch. 40, Wis. Stats. (Public Employee Trust Fund).

I understand that limited term employment is governed by s. 230.26 Wis. Stats., and Ch. ER 10, Wis. Adm. Code.

I understand that the Administrator, Division of Merit Recruitment and Selection (DMRS), has the authority under s. 230.26(5), Wis. Stats., to terminate my limited term employment if this agency does not comply with s. 230.26 Wis. Stats., and the administrative rules governing limited term appointments.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

I certify that the limited term employment of the above named individual is made in compliance with s. 230.26, Wis. Stats., and ch. ER 10, Wis. Adm. Code; that the employee is qualified to perform the duties of this position; that the total duration of the employment will not exceed legal limits; and that ch. ER-MRS 24, Wis. Adm. Code, and s. 16.417, Wis. Stats., will not be violated by employing the above named individual.

\_\_\_\_\_  
Appointing Authority Name

\_\_\_\_\_  
Agency Name

\_\_\_\_\_  
Appointing Authority Signature

\_\_\_\_\_  
Date

OSER-MRS-154 (7/02)  
ss. 16.417 & 230.26, Wis. Stats.; chs. ER 10 & ER-MRS-24, Wis. Adm. Code