

State of Wisconsin
Office of State Employment Relations



**2003-2005 Biennial Report
of the Office of State Employment Relations**

Jim Doyle
Governor

Karen E. Timberlake
Director

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The Honorable Jim Doyle
Governor of Wisconsin

Members of the State Legislature
State Capitol

Dear Governor Doyle and Members of the State Legislature:

I am pleased to submit the 2003-2005 Biennial Report of the Office of State Employment Relations, as required by Wis. Stats. § 15.04(1)(d). This report documents the achievements of our office during the 2003-2005 biennium and outlines our goals for the 2005-2007 biennium.

On behalf of all state agencies, we are committed to sustaining progress in the following areas:

- Making sure that state government is preparing to meet future workforce needs by identifying occupational areas that are expected to have significant employee turnover within the next two years and developing recruitment, retention, and employee development strategies to meet anticipated needs for a skilled and diverse workforce.
- Working in concert with DOA to expand use of information technology to manage state human resources with greater efficiency, accountability, and accuracy.
- Promoting and facilitating productive labor-management relations across state government.

Your endorsement and support of our initiatives is essential to our success in meeting these goals and is greatly appreciated.

Respectfully submitted,

Karen E. Timberlake
Director

OSER's mission is to provide innovative human resources leadership and strategic direction to Wisconsin state government in order to maximize the quality and diversity of the state's workforce.

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OVERVIEW OF THE OFFICE OF STATE EMPLOYMENT RELATIONS

The Office of State Employment Relations (OSER) provides human resources leadership and strategic direction to Wisconsin state government in order to maximize the quality and diversity of the state's workforce. OSER establishes, implements, and monitors personnel policies and programs to ensure a competent work force and to promote equitable treatment of all current and prospective employees of the state. The agency assists the Governor and the Legislature by developing human resource initiatives that meet the needs of the state and provides guidance, advice and services to state agencies in managing human resources.

The Office of State Employment Relations was created by 2003 Act 33 (the state biennial budget for 2003-05) to replace the former Department of Employment Relations (DER), which was eliminated in Act 33. The Office of State Employment Relations operates independently and is attached to the Department of Administration pursuant to Wis. Stat. § 15.03. The new structure preserves the core functions previously performed by the Department of Employment Relations, while realizing significant cost savings for the State.

OSER's program areas include recruitment, examination and selection; classification and compensation; labor-management relations; affirmative action; employee performance evaluation; employee development and training; the State Employee Suggestion Program; the Employee Assistance Program; and various other functions related to personnel management and employee relations.

OSER is administered by a director who is appointed by and serves at the pleasure of the Governor. Karen E. Timberlake was appointed director of the Office of State Employment Relations in August 2003, having served as secretary of the Department of Employment Relations since December 2002. Executive staff are appointed by and serve at the pleasure of the director.

The Office of State Employment Relations is comprised of three divisions and the Director's Office. It includes an attached State Council on Affirmative Action. The functions and structure, performance and operations, and goals and objectives of each program area follow.

DIVISION OF AFFIRMATIVE ACTION

A. FUNCTIONS AND STRUCTURE

The mission of the Division of Affirmative Action, as stated in Wis. Stat. §230.04(9), is to advise and assist the Director of the Office of State Employment Relations, the administrator of the Division of Merit Recruitment and Selection, agency heads and chancellors on establishing policies and programs to promote affirmative action (AA) and equal employment opportunity (EEO) in the civil service system.

Division responsibilities include developing AA/EEO policies and procedures; establishing standards for agency AA/EEO plans; reviewing, approving, and monitoring agency AA/EEO

plans; analyzing state workforce data for use in developing AA/EEO reports and recommendations; and recommending legislative and administrative rule changes. The division also provides information and technical assistance to agencies to increase the effectiveness of state AA/EEO programs, provides AA/EEO and diversity training to supervisors and managers; and provides staff support to the State Council on Affirmative Action.

In addition, the division administers the following AA/EEO programs:

- ◆ The Targeted Opportunity Program (TOPjobs), in which agencies hire students for summer internship positions in order to familiarize them with state employment.
- ◆ The Cooperative Education Program (CEP), which provides on-the-job training to students in higher education programs, and upon completion of training, places them in permanent positions.
- ◆ The Alternative Work Patterns program (AWP), which provides information to agencies and employees on developing and administering an effective AWP policy.
- ◆ The Information Technology Employment for Minority Students program (ITEMS), which provides on-the-job training to students pursuing careers in information technology.
- ◆ The Just En' Time (JET) Training program, an agency outreach program of one-hour training courses on a variety of AA/EEO and diversity topics.
- ◆ An information system that provides AA/EEO resource data on the state workforce.

B. PERFORMANCE AND OPERATIONS DURING THE 2003-2005 BIENNIUM

The division prepared and distributed a comprehensive “Affirmative Action Report for Wisconsin State Government” each year of the biennium. The report contains extensive statistical data to evaluate AA/EEO progress. It includes information about employees with severe disabilities and statistics for employment of racial and ethnic minorities and women by state agencies. Other annual statutory reports completed in the biennium included the Veterans Employment Report for State Government; the Written Hiring Reasons Report; the Federal EEO-4 Report and a review of the W-2 Hiring Report.

The division implemented the following initiatives and programs to increase the efficiency and effectiveness of the state AA/EEO program during the 2003-05 biennium:

1. Evaluated the “Standards for State Agency Affirmative Action Plans” and the “Affirmative Action Policy and Procedure Standards” and made appropriate adjustments for the 2004-2006 planning period.
2. Completed the underutilization analysis that allows state agencies and universities to develop goals for their affirmative action plans. Biddle Consulting Group’s software and technical expertise were utilized to generate the state underutilization analysis.
3. Completed the review and approval of state agencies’ and universities’ AA plans.
4. Reviewed and monitored layoff plans at state agencies and university campuses to ensure that women and racial/ethnic minorities were not adversely affected by layoffs.

5. Surveyed agencies and university campuses on the “Five Elements of a Full Service Affirmative Action Program.” The survey permitted the Division of Affirmative Action to measure and assess the AA/EEO activities of agencies in order to prioritize DAA resources and develop strategic plans.
6. Required all state agencies and universities to attain AA/EEO program certification. The certification criteria included adherence to the statutory requirement that the AA Officer (AAO) report directly to the appointing authority, a hiring review process, the creation of an AA Advisory Committee, policies on sexual harassment, disability accommodations, internal discrimination complaints procedures, balanced interview panels, and posting of the AA/EEO policy statement. All state agencies and universities were required to be certified before their AA/EEO plans were approved.
7. Created an Executive Committee for the Wisconsin State Agency Affirmative Action Officers (AAOEC) to represent the interests of all state agency AAOs. The AAOEC provides advice and guidance to DAA with respect to matters involving affirmative action, equal employment opportunity and workforce diversity programs and services.
8. Developed a new Affirmative Action Recruitment Resource Directory (AARRD) to assist state agencies and university campuses in recruitment. The directory lists over one thousand community based organizations, campus groups, human resources contacts and others who interact with target populations in Wisconsin and surrounding areas. This list is updated monthly and is available to agencies and campuses through a free subscription service.
9. Partnered with the Wisconsin Association of Equal Opportunity (WAEO) in the annual planning and development of training topics and agenda items for the WAEO Conference. The WAEO Conference is the annual conference for professionals in the civil rights field across Wisconsin.
10. Provided “Just En Time” (JET) training courses to address the immediate needs of state agencies and universities as AA/EEO and diversity employers. “Essentials of an Effective AA Advisory Committee” and “Reasonable Accommodations in Employment” are some of the training courses offered so far.
11. Published an electronic newsletter, “Live Wire,” three times a month to keep AA practitioners abreast of the latest ideas and activities in DAA. The newsletter covers the division’s activities, and informs and educates the recipients with brief and timely articles.
12. Provided training and technical assistance to increase the effectiveness of state agency AA/EEO professionals and management.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005-2007 BIENNIUM

1. Create an enterprise recruitment plan in collaboration with the Division of Merit Recruitment and Selection to support the recruitment efforts of state agencies and universities.
2. Evaluate the “Policy and Procedures Standards for Agency Affirmative Action/Equal Employment Opportunity Plans” and the “Affirmative Action/Equal

- Employment Opportunity Program Certification Procedures” for effectiveness, and make appropriate revisions in the standards for the next planning period.
3. Complete an updated underutilization analysis using new data to assist state agencies in developing goals for their affirmative action plans.
 4. Begin tracking agencies’ and universities’ recruitment activity plans and provide technical assistance when needed.
 5. Strengthen the DAA training program for AA/EEO professionals and managers at state agencies and the UW.
 6. Continue to coordinate and improve TOPjobs and the CEP.
 7. Evaluate the Disabled Expanded Certification (DEC) process to ensure the program is current and consistent with the federal Americans with Disabilities Act (ADA) and state laws.
 8. Enhance staff support to the State Council on Affirmative Action (SCAA) in order to increase effectiveness.
 9. Enhance the web site information on affirmative action/equal employment opportunity to provide more useful resources for agencies and universities.

STATE COUNCIL ON AFFIRMATIVE ACTION

A. FUNCTIONS AND STRUCTURE

The State Council on Affirmative Action is a 15-member citizen body appointed by the Governor and legislative leaders to evaluate the state’s progress in achieving statutory affirmative action objectives. It was created under Chapter 196, Laws of 1977. The State Council operates in an advisory capacity to the director of the Office of State Employment Relations.

Wisconsin Stat. §230.46 gives the State Council responsibility for evaluating affirmative action programs in the state civil service system, seeking compliance with relevant state and federal regulations, and recommending improvements in the state’s affirmative action efforts as an employer.

B. PERFORMANCE AND OPERATIONS DURING THE 2003-2005 BIENNIUM

1. Continued the annual Diversity Award program which recognizes exemplary commitment and measurable achievement in diversity. The Educational Diversity Award, which recognizes the efforts and achievements of UW campuses in supporting diversity, was renamed the Ann Lydecker Educational Diversity Award, in honor of the late UW-River Falls Chancellor Ann Lydecker.
2. Amended the State Council’s bylaws to reflect the needs of the State Council to conduct meetings and business with more flexibility and control and to improve the lucidity of the bylaws.
3. Discussed the filling of positions and role of affirmative action officers at university campuses.
4. Conducted strategic planning.

5. Reviewed and discussed the change in federal race codes to allow for multi-racial designation.
6. Received briefings on new DAA initiatives, including program certification requirements; new Affirmative Action Recruitment Resource Directory; creation of an Executive Committee of the Wisconsin State Agency Affirmative Action Officers; DAA newsletter "Live Wire"; completion of a new underutilization analysis; and the development of state standards for state agencies and university campuses AA/EEO plans.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005-2007 BIENNIUM

1. Serve as a resource for the recommendation of candidates for membership on the State Council to ensure the continuation and refreshment of State Council activities.
2. Develop recommendations to improve the state's ability to recruit and retain a high quality, diverse workforce.
3. Promote interaction and partnership with the state affirmative action professionals, as well as racial/ethnic and women community organizations.
4. Identify and recommend ways to integrate affirmative action into other human resources functions.
5. Build a collaborative relationship with AA officers in state agencies and universities.

DIVISION OF COMPENSATION AND LABOR RELATIONS

A. FUNCTIONS AND STRUCTURE

The goal of the Division of Compensation and Labor Relations (DCLR) is to research and develop fiscally responsible compensation strategies and programs, to oversee and administer compensation programs on a statewide basis for all classified and certain unclassified positions in the state civil service system, to represent the state as the employer in labor contract negotiations with unions representing state employees, and to establish and maintain consistent employment relations policies and practices throughout state civil service in the administration of labor agreements.

DCLR administers the compensation provisions of the federal Fair Labor Standards Act (FLSA), the Wisconsin Fair Employment Law, and the state and federal Family and Medical Leave Acts (FMLA) for state employees. The division includes two bureaus: the Bureau of Compensation and the Bureau of Labor Relations.

The **Bureau of Compensation** develops and administers the biennial compensation and benefit plans for non-represented, classified and unclassified executive branch employees. The bureau is responsible for the evaluation and development of fiscally responsible compensation programs in connection with the collective bargaining process. This bureau has the ongoing responsibility for conducting a comprehensive pay and benefits survey

program to maintain a competitive position in the market place and assisting in the assignment of all new and revised classifications to the proper pay ranges. The bureau also administers the state and federal Family Medical Leave Act for state employees and provides consultative services to state agencies on FMLA requirements, developing policies and procedures to ensure statewide compliance.

The **Bureau of Labor Relations (BLR)** represents the state as the employer in labor contract negotiations with unions representing state employees, and is responsible for establishing and maintaining consistent employment relations policies and practices throughout state civil service in the administration of labor agreements. More than 85 percent of the state classified work force, organized into statutorily defined bargaining units, are represented by labor organizations. Every biennium, BLR chief negotiators work closely with staff from the OSER Bureaus of Compensation and Agency Services to negotiate the 19 state labor agreements. During negotiations, DCLR staff consult regularly with the Governor's Office, legislative leaders on the Joint Committee on Employment Relations, and with management representatives in the various state agencies, boards and commissions. In administering the state labor agreements, it is BLR policy to maintain fair, friendly and mutually satisfactory employee-management relations in state government and to strive to achieve a fair and peaceful resolution to whatever controversies may arise. The major functions of the Bureau of Labor Relations are to:

1. Negotiate, as the employer, all state labor agreements;
2. Provide guidance to and work with all state agencies to ensure uniform implementation and administration of labor agreements;
3. Represent and/or assist in representing the state before the Wisconsin Employment Relations Commission on such matters as unfair labor practices, bargaining unit determinations, bargaining unit representation elections, and other labor/management issues;
4. Represent the state and its agencies as the employer in arbitration proceedings under the state labor agreements;
5. Develop, plan and present labor relations training for all levels of state agency management; and
6. Develop, plan and facilitate labor-management cooperation training and services jointly with labor union officials for all levels of state agencies.

B. PERFORMANCE AND OPERATIONS DURING THE 2003-2005 BIENNIUM

1. Efforts to improve the efficiency and effectiveness of the division.

- a. Labor Market Information/Compensation Reserve Development. The division continued to enhance the application and effectiveness of the State of Wisconsin labor market program to the state and participating employers through a revision in the program schedule and information being surveyed. The labor market survey program provides valuable labor market data and information for the development of the compensation reserve recommendation that OSER submits to the Department of Administration, for the development of collective bargaining strategies, and for the development of the non-represented employee Compensation Plan.

- b. **Policy Manual Revision.** DCLR developed several new policies in the *Wisconsin Human Resources Handbook*, covering topics including protective occupation status determinations and exclusions from bargaining unit representation. A comprehensive plan was developed to update or develop additional policy chapters for presentation to agency representatives during monthly informational meetings.
- c. **Evaluation of Existing Pay Systems.** Division staff monitor and evaluate Wisconsin's varied pay systems, conduct internal analyses of pay systems performance, and regularly receive and evaluate compensation system feedback from the Compensation Advisory Committee which is made up of agencies' Human Resources Directors.
- d. **Training for Agency Personnel.** The DCLR staff provided ongoing formal training to agency staff and first-line supervisors in the areas of performance evaluation, position description writing, advancement in the civil service system and basic and advanced labor relations skills.
- e. **Labor-Management Cooperation.** An ongoing project provided for joint labor-management training in labor-management cooperation for work site teams.
- f. **Advanced Labor Relations Training.** The program was condensed from five to three days with a corresponding drop in registration fee. The shorter time commitment and reduced fee resulted in an overall higher number of registrants.

2. Major policy initiatives.

- a. **Family and Medical Leave Acts (FMLA).** During this biennium, ongoing technical assistance, consultation, and formal and informal training were provided to human resource staff and supervisors.
- b. **Labor-Management Cooperation.** In 1998, DER and the Wisconsin State Employees Union (WSEU) jointly received a Labor-Management Cooperation (LMC) grant from the Federal Mediation and Conciliation Service. The original \$90,000 grant was used to identify and replicate "best practices" in labor-management cooperation at work sites across the state and this effort continued during the early part of the 2003-2005 biennium. A best practice is a successful example of cooperation between labor and management. The LMC training team, composed of representatives from both WSEU and management, conducted training on how to improve cooperation, and provided on-site assistance at work sites to improve cooperation.
- c. **Health Insurance.** In an effort to manage escalating health care costs, OSER in cooperation with the Group Insurance Board and the legislature implemented a three-tier Health Insurance program effective with January 2004 coverage. To mitigate the shortcomings of the previous employee health insurance funding mechanism, health insurance plans submitted by providers are evaluated on the overall basis of the efficiency with which they deliver uniformly prescribed benefits, as well as on measures of quality, patient safety, and customer satisfaction. Each plan is assigned to one of three tiers based on this analysis. The plan's tier assignment determines the monthly premium

amount to be contributed by employees enrolled in the plan. This approach has succeeded in creating significant incentives for health plan providers to hold down overall costs. Employee monthly premium contributions under the three-tier program now apply to any subscribing represented employee with a 2003-2005 bargaining agreement, and all non-represented employees, including the UW System and its faculty and academic staff.

3. Organizational or Administrative Changes

BLR staff served as chief negotiators and back-up negotiators during the negotiation of labor contracts covering 19 represented bargaining units for the biennium. The Wisconsin State Employees Union, affiliated with the American Federation of State, County, and Municipal Employees, represents six of those units. The remaining thirteen bargaining units represented by other labor organizations are the Building Trades and Crafts; Legal (Attorneys); Assistant District Attorneys; State Public Defenders; Patient Care; Patient Treatment; Fiscal and Staff Services; Research, Statistics and Analysis; Education; Engineering; Science; Teaching Assistants at the University of Wisconsin (UW) -Madison; and Teaching Assistants at UW-Milwaukee.

The Bureau of Labor Relations (BLR) chief spokesperson works with a team of classification, compensation, and costing staff at OSER for each of the bargaining units. The BLR chief spokespersons are responsible for representing management in negotiating the economic component of assigned collective bargaining agreements. The BLR chief spokespersons work directly with the Bureau of Compensation economic spokespersons and the Agency Services class and survey spokespersons regarding the coordination of any classification, survey, or costing needs.

BLR staff represent the various state agencies, as employers, in arbitration proceedings under labor contract grievance procedures. On July 1, 2003, the division had 1,048 pending arbitration appeals. During the 2003-2005 biennium, 2,008 new appeals were received. Of the pending appeals, 1,191 were dropped following discussions or negotiations with the unions and/or grievants, 178 appeals were resolved through formal settlement agreements, and 360 cases were heard and decided before impartial arbitrators. Altogether 1,729 appeals were closed during the 2003-2005 biennium.

Bureau of Labor Relations staff represented and/or assisted legal counsel in representing the state before the Wisconsin Employment Relations Commission.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005-2007 BIENNIUM

1. Continue research and development of alternative pay models with special emphasis on those that would be conducive to simplifying the compensation system and increasing line management flexibility.
2. Expand pay progression concepts and pay flexibility to a greater number of represented and nonrepresented groups.
3. Continue to develop Compensation Plan amendments that will provide parity between non-represented and represented employees based on the terms of negotiated agreements.

4. Develop new policy chapters in the *Wisconsin Human Resources Handbook* as needed to accommodate changes in compensation structures as they are implemented.
5. Refine and enhance the modified pay structures that were implemented in 2003-2005 and increase efforts to educate employees and managers on the new structures through on-site training programs, train the trainer initiatives and electronic posting of educational and informational resources on the OSER web site.
6. Develop a total compensation assessment process to determine how the State's compensation and benefit programs compare to other public and private sector employers.
7. Conduct ongoing assessment of the effectiveness and understanding of the broadband program through a comprehensive survey program encompassing represented and nonrepresented employee groups. Develop program enhancements and conduct training initiatives to strengthen the understanding of program procedures and provisions.
8. Provide consultation to agencies to assist in implementing the personnel-related aspects of provisions in the 2005-07 biennial budget.
9. Negotiate sound labor agreements so as to ensure labor/management peace and stability.
10. Expand the use of consensus bargaining principles to other certified bargaining units. The consensus bargaining format is being or has been used with the Wisconsin State Employees Union, representing six bargaining units; the United Professionals for Quality Health Care, representing the Patient Care unit; and AFT-Wisconsin, representing the Science unit and the Research, Statistics and Analysis unit. The remaining units are using the traditional model for collective bargaining that is oriented to using other problem-solving approaches to contract negotiations.
11. Expand the Advanced Labor-Management Certification Program to a larger audience. This popular program, created in 1988 and annually updated, is an in-depth course providing state managers and supervisors with strategies and techniques in labor relations geared to promoting the interests of the state in a collective bargaining environment
12. Reduce grievance appeals and resolve problem issues through effective management training and staff utilization, developing sound labor-management relations, promoting mutual problem-solving techniques prior to formal grievance appeals, and promoting special arbitration processes and settlement mechanisms.
13. Improve the division's research and arbitration handling capabilities by updating the file locator system, enhancing Internet access to precedent-setting labor arbitration decisions, and expanding the use of the arbitration case management database.
14. Continue to provide a labor relations seminar geared toward top executives in state government, adjusting the subject matter as necessary to meet the needs of the target audience.
15. Establish and conduct joint training efforts with unions representing state employees.

DIVISION OF MERIT RECRUITMENT AND SELECTION

A. FUNCTIONS AND STRUCTURE

The goal of the Division of Merit Recruitment and Selection (DMRS) is to be a model public sector organization that efficiently provides Wisconsin citizens with merit-based, open and accessible competition for civil service jobs; provides state and local government agencies with qualified job candidates who represent the diversity of the state labor force; and develops and maintains a fair and accurate classification system. The division is divided into two organizations, Outreach Services and Agency Services. Outreach Services includes the examination administration unit, the employment services unit, and Wisconsin Personnel Partners (formerly Wisconsin City County Services). The Agency Services Bureau includes two program areas, occupational analysis and staffing.

The division works cooperatively with state agencies and the University of Wisconsin System to:

1. Recruit applicants for classified civil service vacancies, develop and administer valid evaluations of civil service applicants, and provide lists of best-qualified candidates (employment certifications) to state agencies and University of Wisconsin (UW) campuses.
2. Administer the Wisconsin Code of Ethics for classified and some unclassified employees, investigate cases of potential civil service violations, and administer layoffs for non-represented classified positions.
3. Provide consultation and training to state agencies in areas such as Fair Labor Standards Act (FLSA) requirements, staffing, classification, position descriptions, and training to citizens and state employees on how to get a state position and how to advance in the civil service.
4. Provide personnel and testing services for local governments through the Wisconsin Personnel Partners.
5. Function as the primary liaison for the state with the U.S. Department of Labor, Wage and Hour Division and to monitor the inclusion or exclusion of employees in the protective occupation retirement category.
6. Participate in the collective bargaining process as members of the management master bargaining teams.
7. Conduct personnel management surveys and position reviews in an effort to maintain statewide equity within the classification structure.
8. Provide enterprise support to agencies for workforce planning and utilization of staff skills repository.

B. PERFORMANCE AND OPERATIONS DURING THE 2003-2005 BIENNIUM

DMRS is committed to helping OSER achieve its vision of being at the forefront of human resource management by stressing excellence, diversity, efficiency, responsiveness, continual improvement, and innovation. During the past biennium, the division continued to be a leader in providing responsive service to state agencies and the public through the following achievements:

1. Over 32,000 state job applicants were tested at state examination centers during the biennium.

2. Effective July 1, 2004, the WiscJobs website (<http://wiscjobs.state.wi.us>) became the official means for notifying the public of state employment opportunities. DMRS continued to produce and print the Current Opportunities Bulletin (COB), but agencies were no longer required to post all announcements in the printed COB. The Continuous Recruitment Bulletin (CRB) was re-introduced; the first publication was published January 5, 2004. The CRB is published in March and September.
3. Targeted recruitments, an alternative recruiting method for Office Support (OS) applicants, were piloted in early 2004. 174 recruitments were completed through June 30, 2005. Targeted recruitments shorten the time from announcement to hire because they allow applicants to respond directly to agency OS announcements and utilize their scores from the large OS multiple choice exam. Agencies benefit because they only assess applicants who have expressed interest in their specific recruitment, rather than all qualified candidates from the OS examination register.
4. The division continued to develop and expand use of WiscJobs, the state's web-based hiring system. The system gives applicants internet access to state government job announcements and allows applicants to apply online for selected positions. WiscJobs also includes the Employee Referral Service, which gives current state employees who are at risk of lay off, or who have been laid off, from their state jobs first access to newly-posted state job openings. The system also allows state agency human resources staff to post job announcements, and it houses all data related to the administration of the hiring process. During FY2004-05, DMRS conducted usability studies and surveyed agency users to identify opportunities to improve the WiscJobs web site. DMRS used this information to develop a project plan for enhancements to both the public site and the human resources administration site to increase the overall usability and functionality of the system, particularly on-line examinations.
5. The Employment Services Center continued further customer service improvements. These included a call log to identify ways to help customers get information more efficiently, a revised state application with more specific instructions to reduce misdirected applications, and implementation of the WiscJobs Help Desk phone line to assist applicants with their on-line accounts.
6. Division training programs were improved and expanded. DMRS delivered to agency human resources staff the revised Staffing Training (formerly Recruitment and Selection training) and new Basic and Advanced Classification training programs.
7. Training was provided to state agency human resources staff on changes to the FLSA regulations governing white-collar exemptions. DMRS sponsored an informational session in which a representative from U.S. Department of Labor met with agency representatives to discuss changes in the regulations.
8. The division promulgated revised policies pertaining to the U.S. Department of Labor's new FLSA rules and regulations for white-collar exemptions.
9. The division sponsored a cross-agency workgroup to establish a shared resources web site for workforce planning. Additionally, the division facilitated development of a workforce planning guide and training program to assist agencies in preparing to submit workforce plans in 2006.
10. The division, jointly with DOA's Division of Enterprise Technology, carried out a pilot project to assess the Staff Skills Repository, an employee-driven skills database. The pilot was conducted with information technology staff across state executive branch agencies. DMRS is completing an assessment of the pilot and will determine the

feasibility of an expanded rollout of the software in 2006, with a potential focus on critical hiring needs classifications identified in agency workforce plans.

11. The division sponsored the “Centennial Year of Wisconsin’s Civil Service” in 2005. The initiative included a civil service recognition event on June 17, 2005 in the Assembly Chambers at which Governor Doyle recognized over 140 state employees for their tenure and career accomplishments; and publication of “The History of the Wisconsin Civil Service: 1905-2005.”

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005-2007 BIENNIUM

To improve the responsiveness and flexibility of the Wisconsin merit system, DMRS will:

1. Continue to implement a cross-functional operations model to improve and enhance customer service and enhance staff development.
2. Expand DMRS’s delegation program by training agency staff to ensure that they have the knowledge necessary to support delegation, and ultimately authorizing additional delegation.
3. Publish and revise *Wisconsin Human Resources Handbook* chapters on a continual basis to provide up-to-date policy and procedural instructions related to human resource functions.
4. Provide consultation to agencies to assist in implementing the personnel-related provisions in the 2005-2007 biennial budget.
5. Enhance functionality and usability of the WiscJobs system for HR and public users.
6. Increase usage of WiscJobs by the public and by state agencies by marketing and promoting WiscJobs through cooperative efforts with OSER’s Division of Affirmative Action (DAA), state agencies, and UW campuses.
7. Research and revise testing methods currently used by the State of Wisconsin.
8. Continue to administer exam centers throughout the state efficiently and effectively.
9. Develop additional Employment Services Center operations to further enhance services for ESC customers.
10. Develop an enterprise recruitment plan in collaboration with DAA.
11. Continue to develop and implement alternative classification structures to simplify the classification system by conducting surveys of selected occupational areas and consolidating classifications when appropriate.
12. Participate in the bargaining unit clarification process by assisting in and performing job/occupational analysis, comparison to standards, and presentation of analysis to the Wisconsin Employment Relations Commission.
13. Review tasks, skills, and knowledge of division staff to identify opportunities for cross-training and increased coordination of resources and methodologies.
14. Continue to review agency determinations of protective occupation status for state employees and provide expert witness testimony in administrative hearings before the Employee Trust Funds Board.
15. Work with state agencies to provide recruitment and retention support to meet the state mandated goals to hire customers of the W-2 program.
16. Train OSER and agency staff:
 - Provide on-site WiscJobs training for online testing to agencies and universities. Update training materials to incorporate changes in functionality that have taken place, including online testing.

- Provide revised Staffing Training to agencies and universities
 - Provide Basic and Advanced Classification training for internal and external human resources staff.
17. Participate in the OSER initiative to implement workforce planning across state government.
 18. Participate in coordinating the enterprise Staff Skills Repository (SSR) to support employee development and workforce planning capability.
 19. Participate as human resources subject matter experts for the Integrated Business Information Systems (IBIS) initiative.
 20. Develop and evaluate a pilot program curriculum for an Enterprise Leadership Academy for state employees.

STATE EMPLOYMENT OPTIONS

(Division of Merit Recruitment and Selection)

A. FUNCTIONS AND STRUCTURE

The State Employment Options (SEO) program provided training to Wisconsin Works (W-2) and other Job Center customers on how to obtain employment with Wisconsin State government. SEO worked with state agencies to provide recruitment and retention services to meet the state mandated goals to hire customers of the W-2 program. Due to position reductions in the 2005-07 biennial budget and the termination of funding from DWD to support the program, OSER eliminated the self-standing SEO program, effective July 1, 2005. However, OSER continues to support agencies in W-2 hiring via DMRS's enterprise recruitment program.

B. PERFORMANCE AND OPERATIONS DURING THE 2003-2005 BIENNIUM

1. Trained 1,515 job seekers statewide who participate in the W-2, food stamp, Children First, and Division of Vocational Rehabilitation programs. Created and delivered test preparation workshops in Milwaukee and Dane County.
2. Coordinated and administered on-site state exams at four W-2 provider sites in Milwaukee County. Continued monthly on-site state exams in Dane County.
3. Marketed W-2 employment and SEO services to the State Human Resource Management Council, state affirmative action officers, W-2 administrative agencies, community based organizations, and state agency managers.
4. Developed and implemented a train the trainer program for W-2 agencies, job centers, vocational technical colleges, and community-based organizations. These organizations can now utilize the workbook guide and videotape titled *State Employment—An Opportunity for Everyone*, to provide training to W-2 customers on state employment.
5. Integrated the ASTEQ exam into WiscJobs so applicants can complete the application process online.
6. Coordinated a special job fair program with UMOS in Milwaukee. Four job fairs were held.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005 - 2007 BIENNIUM

As noted above, OSER has merged W-2 related recruitment activities into its enterprise recruitment program and has eliminated the State Employment Options program as a stand-alone program. OSER will continue to support agencies so they may meet their W-2 hiring goals under Wis. Stat. § 230.147, as follows:

1. Provide entry-level civil service exams at W-2 agencies in Madison and Milwaukee the Friday before each regular exam center, promote state employment to W-2 agencies, participate in job fairs, and develop alternative civil service examinations.
2. Provide technical assistance to state agencies and W-2 administrative agencies in developing and implementing strategies to recruit W-2 participants for permanent positions in state service.
3. Continue to offer the Train-the-Trainer program so W-2 agency and job center staff know how to utilize the workbook guide and video to promote state employment to W-2 job seekers.

WISCONSIN PERSONNEL PARTNERS

(Division of Merit Recruitment and Selection)

A. FUNCTIONS AND STRUCTURE

The Wisconsin Personnel Partners (WPP) program provides non-state governmental units with customized human resource services, which historically have focused on civil service testing. WPP has completed a pilot project to expand its services to other areas such as position description writing, creation of performance evaluations, compensation and benefit analysis, and training in key human resource areas.

These fee-based services are offered to public sector governmental units. The revenue gained by providing these services funds the WPP program.

B. PERFORMANCE AND OPERATIONS DURING THE 2003 - 2005 BIENNIUM

1. Produced new marketing materials to assist with branding and market distinction.
2. Created a new logo and redesigned web site (<http://www.wpp.wi.gov/>) to provide better branding, ease of navigation, and access to information.
3. Expanded human resources services to include performance management tools, compensation and benefit analysis support, creating position descriptions, and human resources trainings.
4. Increased customer base by 21 new customers, surpassing the biennial program goal of increasing the customer base by five new customers.
5. Published new newsletter, *Personnel Quarterly*.
6. Streamlined order status notification process for customers.
7. Increased timeliness of revenue collections through new customer service process.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005 - 2007 BIENNIUM

1. Increase customer utilization of new, expanded human resources services.
2. Increase customer base by 15%.
3. Research feasibility of developing an assessment center and video assessment to provide customers with full-service assessment services.
4. Improve and expand scope of five products and services, with a focus on examinations, web site usability for customers, and a workforce planning template.
5. Expand legislative and executive level awareness and support of the Partners program through partnerships with DOA's Division of Intergovernmental Affairs and contacts with key legislative partners.

EMPLOYEE DEVELOPMENT AND TRAINING PROGRAMS

A. FUNCTIONS AND STRUCTURE

The Office of State Employment Relations provides training services to Wisconsin state government agencies through a variety of methods. The OSER training function is staffed by a 0.50 position, located in the Division of Compensation and Labor Relations. The training curriculum provided by OSER includes the following:

1. ***Management Training for New Supervisors.*** This two-part, five-day program provides the statutorily required components of training for new state supervisors and managers. A three-day course, Personnel Administration, is taught by OSER staff on topics of civil service personnel administration, including position descriptions, staffing, equal employment opportunity, affirmative action, performance evaluation, and labor relations. A two-day leadership program is taught by instructors from the UW-Madison Certified Public Manager program in an arrangement with OSER. Both courses are offered on at least a bimonthly basis to meet demand in a timely fashion.
2. ***Advanced Labor Relations (ALR) Program.*** The Advanced Labor Relations (ALR) program is taught by experienced labor relations specialists from the OSER Bureau of Labor Relations. The ALR program is a three-day, advanced, participatory training program for state managers and supervisors presented several times annually in Madison and other regions of the state. It provides managers and supervisors with critical information concerning theories and issues underlying the labor-management relationship in a public sector environment
3. ***Staffing Training Series.*** Staff of the Division of Merit Recruitment and Selection provide training in a series of recruitment and selection training modules, half- or full-day offerings, that meet the diverse needs of agency staff with hiring-related responsibilities. Topics include policy, the role of the supervisor in staffing, recruitment planning, advertising, exam development, scoring the exam and register/certification.
4. ***Affirmative Action/Equal Employment Opportunity (AA/EEO).*** Division of Affirmative Action staff provide training programs specially designed for agency Affirmative Action

Committee members. The programs, tailored to specific agency needs and offered on-site at interested agencies, includes AA/EEO laws, regulations, and rules as well as recent information on the status of AA groups in the Wisconsin civil service workforce, along with strategies on promoting AA/EEO and diversity at the agency level.

5. ***How to Advance in the Wisconsin Civil Service.*** Staff from the Division of Merit Recruitment and Selection provide a half-day training program designed to give state employees a better understanding of career progression within the civil service system, including promotions, reclassifications, and transfers.
6. ***Classification Training.*** Staff of the Division of Merit Recruitment and Selection provide training in a series of classification training modules, half- or full-day offerings, including topics such as classification overview, reclassification analysis, conducting personnel management surveys, and WERC appeals.
7. ***Employee Assistance Program (EAP) Coordinator Training.*** A two-day program for agency EAP coordinators, with options for one-day refreshers for more experienced agency EAP coordinators.

Employee Assistance Program (EAP)

A. FUNCTIONS AND STRUCTURE

By Executive Order #26, Governor Doyle designated the Office of State Employment Relations to administer the state Employee Assistance Program (EAP). OSER serves as the administrative clearinghouse for the EAP, and provides technical assistance, information and consultation to EAP programs in all departments, independent agencies, the UW-System, constitutional offices and the judicial and legislative branches of government. An OSER EAP coordinator facilitates quarterly EAP Advisory Council meetings.

B. PERFORMANCE AND OPERATIONS DURING 2003-2005 BIENNIUM

Twelve training sessions were held during the biennium. Employee Assistance Directors from the agencies take turns conducting an informational session on the EAP at the management: personnel administration training conducted by OSER. This training provides new supervisors with an overview of the services offered by the EAP and instructs them on proper referral processes. OSER also conducted two EAP coordinator training sessions, designed to help agency EAP directors and volunteers understand their EAP role.

Governor Doyle issued proclamations declaring October 2003 and October 2004 as EAP Awareness Month. State agencies held special activities to promote their internal EAP programs.

The EAP Advisory Committee held six meetings during the biennium

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005-2007 BIENNIUM

OSER will work with agency EAP Directors to promote the EAP program and will continue to maintain, improve, and add resources the Employee Assistant Program portion of the OSER website:

http://oser.state.wi.us/section_detail.asp?linkcatid=332&linkid=26&sname=Employee%20Programs.

STATE EMPLOYEE SUGGESTION PROGRAM

A. FUNCTIONS AND STRUCTURE

The Office of State Employment Relations provides staffing to the State Employee Suggestion Board, a three-member body appointed by the Governor. The board reviews employee-initiated suggestions for cost-saving business methods, improvement in efficiency, and better service to customers and citizens, and determines state-level recognition of employees for their suggestions, including certificates and cash awards. Each state agency has a program coordinator who oversees the agency's internal program, and OSER provides consulting services and resources to the agency coordinators upon request. OSER also maintains the suggestion program web site.

B. PERFORMANCE AND OPERATIONS DURING 2003-2005 BIENNIUM

The State Employee Suggestion Board received, reviewed and determined awards for 60 employee-initiated suggestions for business process improvements, service enhancements, and cost savings to the state amounting to an estimated annual savings of \$93,000, or more than \$185,000 over the biennial period. OSER continued to maintain the Wisconsin Employee Suggestion Program web site and provide staffing to the State Employee Suggestion Board.

Four board meetings or events were held during the biennium, including a combined 2003-2004 annual awards ceremony and three regular board meetings. The combined 2003-2004 annual awards ceremony at the State Capitol was held in November 2004 to honor individual and group suggestions of the year, agency of the year, and agency coordinator of the year, all for each year.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005-2007 BIENNIUM

OSER will support and staff the State Employee Suggestion Board, will work with agency program coordinators to promote increased participation by state employees and will continue to maintain and improve the Employee Suggestion Program web site: <http://SUGGEST.state.wi.us>.

FORMS & NEWSLETTER

A. FUNCTIONS AND STRUCTURE

1. OSER has an agency forms officer as required by statute, along with division forms managers.
2. OSER publishes a semiannual newsletter, *News & Views*, with a target audience of 7,000 state supervisors, managers, and other non-represented employees. Topics focus on the civil service system and other human resources issues in state government.

B. PERFORMANCE AND OPERATIONS DURING THE 2003-2005 BIENNIUM

1. OSER's most-requested forms continue to be available in electronic format on the Internet. Most forms available at the web site can be completed on-screen, then printed and routed according to procedures.
2. During the 2003-2005 biennium, the *News & Views* was published and distributed electronically via email in October 2003, April 2004, October 2004, and April 2005. Publication of printed copies of the newsletter was discontinued beginning with the October 2003 issue as a cost-saving measure. Current and past issues of the newsletter are available on the OSER web site.

MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005-2007 BIENNIUM

1. OSER will continue to make forms available at the OSER web site (<http://OSER.state.wi.us>) with features to allow people to fill in the forms on-screen.
2. OSER will continue to publish the *News & Views* newsletter in an electronic format twice a year. Back issues will continue to be maintained on the OSER website.

LEGAL COUNSEL

A. FUNCTION AND STRUCTURE

The Legal Counsel for the Office of State Employment Relations is responsible for providing legal services to OSER management staff, as well as providing advice to other state agencies on programs and policies administered by OSER, such as the Fair Labor Standards Act (FLSA), Family Medical Leave Act (FMLA), Americans with Disabilities Act, protective occupational status of state employees for retirement purposes, compensation plans for state employees, open records requests involving personnel files, and unfair labor practices.

The Legal Counsel provides three general types of legal services: (1) legal advice and counsel to OSER staff and management concerning policy issues, statutory interpretation, and other legal questions concerning the department; (2) representation of the Office and other state agencies in a variety of administrative hearings and liaison to the Department of Justice (DOJ) on cases concerning the office which have been filed in state or federal court; and (3) legal advice to other state agencies on personnel issues, FLSA, FMLA, and related law and labor law questions.

The Legal Counsel's responsibility for administrative hearings includes representing OSER in classification survey appeals before the Wisconsin Employment Relations Commission (WERC) and employment discrimination cases and whistle-blower cases before the Equal Rights Division (ERD) of the Department of Workforce Development; representing all state agencies in unfair labor practice complaints filed with the WERC; assisting the Division of Compensation and Labor Relations in handling arbitration hearings whenever possible; and defending OSER determinations of the protective occupational status of employees for retirement program purposes. The Legal Counsel coordinates with DOJ attorneys to answer complaints, interrogatories, and other motions and pleadings, and to provide information necessary to respond to discovery requests, and other court-related proceedings.

B. PERFORMANCE AND OPERATIONS DURING THE 2003-2005 BIENNIUM

During this time period, OSER completed the Administrative Support Unit (ASU) Phases II and III personnel management (classification) surveys involving approximately 4,000 state employees. These surveys resulted in classification survey appeals, filed with the WERC. The Legal Counsel handles all appeals (pre-hearings, motions to dismiss, motions for summary judgment and hearings) involving the Administrative Support Unit, Phase II and III surveys and resulting class changes. The Legal Counsel reviewed drafts of over 358 new classification specifications generated by the surveys implemented in the 2003-05 biennium and to be implemented in the 2005-07 biennium, and any broad band classifications, for compliance with applicable legal principles, administrative rules and policies. This review of classification specifications and recommended changes helps to reduce the number of appeals.

The Legal Counsel also handled appeals before the WERC of other personnel transactions (reclassifications, reallocations and merit recruitment and selection) as well as several discrimination, whistleblower and/or retaliation claims before the ERD. During the past year, the Legal Counsel worked with the Department of Justice in successfully defending several court actions initiated by individuals that filed actions in, or unions that appealed administrative decisions to, the Dane County Circuit Court, the Wisconsin Court of Appeals, or the U.S. District Court. The Legal Counsel represented OSER in proceedings before the Dane County Circuit Court. The Legal Counsel also represented OSER in petitions for elections and unit clarifications and other state agencies in a number of Unfair Labor Practice hearings before the WERC. Further, during this time period, the Legal Counsel defended Office determinations on the protective occupational status of state employees for purposes of the state retirement program.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2005-2007 BIENNIUM

The Legal Counsel will continue to provide timely, complete and accurate legal advice to OSER staff and management, and will assist other state agencies whenever possible, while identifying and anticipating potential legal issues related to Office policies or programs.

FLEXIBLE AND PART-TIME SCHEDULES

Wisconsin Stat. § 230.215 (4) requires every agency to include a section in the biennial report pertaining to policies promoting flexible and part-time work schedules for its employees.

The DOA Employee Handbook, which OSER has adopted, states that “The department encourages the use of AWP (Alternative Work Patterns) such as flex-time, part-time, and job-share schedules to increase productivity, extend services, reduce absenteeism, improve employee morale, allow for employee development, and maximize energy conservation through ridesharing and use of mass transit systems. The department recognizes that AWP schedules may provide opportunities for individuals to productively use their skills, talents, and abilities. It recognizes that a traditional, full-time work schedule may not meet the needs of individuals who, due to age, health, or family circumstances, find such a schedule in conflict with responsibilities outside of work.”

More than half of OSER employees work a schedule that deviates from the standard state office hours (7:45 a.m. to 4:30 p.m.). In addition, several employees are allowed to work a “flex day” schedule under which they work a full 40-hour week, but less than the standard eight hours on one or more “flex” days. Several other employees are permitted to work less than full-time. OSER seeks to accommodate employee requests for discretionary leave time whenever possible. The office fully complies with all requirements of family and medical leave laws. The department believes that accommodating employee scheduling needs has not adversely affected operations and, in fact, has improved employee productivity and expanded the hours during which agency staff are available to our customers.