

Wisconsin Human Resources Handbook

Chapter 370

Classification Policies and Procedures for the Analysis of Reclassification and Reallocation Requests

Sec. 370.010	Introduction	Sec. 370.080	Withdrawing Reclassification
Sec. 370.020	Statutory and Rule Authority	Sec. 370.090	Compensation
Sec. 370.030	Definitions	Sec. 370.100	Effective Date Policy
Sec. 370.040	Exclusions	Sec. 370.110	Documentation of Decision
Sec. 370.050	Submitting a Reclassification or Reallocation Request	Sec. 370.120	Classification Appeals
Sec. 370.060	Analyzing a Reclassification	Sec. 370.130	Administrative Information
Sec. 370.070	Competition and Competitive Examination	Attachment #1	Reclassification Analysis Flowchart
		Attachment #2	Sample Reclassification Denial Letter

Sec. 370.010 Introduction

Reclassification is a personnel transaction used to allocate or assign a filled position to a different classification (“class”) when the position has experienced logical and gradual changes to the point where a different classification becomes more appropriate or when the incumbent has attained the specified education or experience required in a formally defined progression series.

Reallocation is another personnel transaction used to allocate or assign a filled position to a different classification based on one of a number of reasons that are specifically described in the Wisconsin Administrative Code. This chapter provides detailed guidance on how to classify positions, and how to conduct analyses of reclassification and reallocation requests.

Budget constraints are not considered valid reasons to deny reclassification or reallocation requests. Positions must be correctly classified based on the duties permanently assigned to the positions.

Sec. 370.020 Statutory and Rule Authority

1. “After consultation with the appointing authorities, the director shall allocate each position in the classified service to an appropriate class on the basis of its duties, authority, responsibilities or other factors recognized in the job evaluation process. The director may reclassify or reallocate positions on the same basis.” s. 230.09(2)(a), Wis. Stats.
 2. “Appointing authorities shall notify the director of any changes in the duties or responsibilities of individual positions which may affect the classification level of the position. Notification shall be in accordance with the procedures established by the director.” s. ER 3.03(1), Wis. Adm. Code.
 3. “If after review of a filled position the director reclassifies or reallocates the position, the director shall determine whether the incumbent shall be regraded or whether the position shall be opened to other applicants.” s. 230.09(2)(d), Wis. Stats.
-

4. Section 15.02(4), Wis. Stats., states in part, “The head may delegate and re-delegate to any officer or employee of the department or independent agency any function vested by law in the head.”

At the time this policy chapter was published, the Administrator of the Division of Merit Recruitment and Selection had been delegated the authority for classification creation, abolishment and modification by the Director of the Office of State Employment Relations (OSER).

5. “Class specifications shall be the basic authority for the assignment of positions to a class.” s. ER 2.04(2), Wis. Adm. Code.

Sec. 370.030 Definitions

The following are definitions of terms used in this chapter:

1. **Administrative Professional Level:** Work that requires the exercise of analytical ability, judgment, and discretion and the application of a substantial body of knowledge of principles, concepts and practices applicable to one or more fields of administration or management. While these positions do not require specialized education, they do involve the type of skills (analytical, research, writing, judgment) gained through a college-level education or through progressively responsible work experience. Administrative professional level work may be performed as part of the principal mission or program of an agency or subcomponent, or it can be performed as a service function that supports the agency’s mission or program. Employees engaged in administrative professional level work are concerned with analyzing, evaluating, modifying, and developing basic programs, policies, and procedures that facilitate the work of agencies and their programs. They apply knowledge of administrative analysis, theory, and principles in adapting practice to the unique requirements of a specific program.
2. **Advanced Level:** A concept that appears in some classification specifications intended to describe work that is beyond the objective level within a class series. Not all positions are expected to attain the advanced level. The classification specification defines the requirements for the advanced level in terms of duties and responsibilities and discusses whether positions can be reclassified to that level or whether competition is required.
3. **Allocation:** The initial assignment of a position to the appropriate class by the director as provided in s. 230.09(2), Wis. Stats. ER 3.01(1), Wis. Adm. Code.
4. **Allocation Pattern:** A description of different job or position types used within a classification or classification series. Allocation patterns identify different job types within a classification or different levels within a classification series. For example, within the Revenue Auditor classification series, the classification specification identifies the following allocation pattern for Individual Income Tax Office Auditors: the Revenue Auditor classification level is used as the entry level progressing to the developmental level; the Revenue Auditor 3 classification level is the objective level; and the Revenue Auditor 4 classification level is the advanced level. Representative positions within a classification specification can also be considered allocation patterns. However, it is possible that not all allocation patterns will be identified in the classification specification. Allocation patterns may be established by the Agency Human Resources Office for delegated classifications without being formally identified in the classification specification. They should be formally documented within that agency, and OSER should be informed of existence of the allocation patterns in order to determine if the classification specification needs to be modified.
5. **Best Fit:** Positions are classified based on the majority of duties performed (more than 50 percent) of the work assigned to and performed by the position when compared to the class concepts and definition of the classification specification or through other methods of position analysis. Position analysis defines the nature and character of the work through the use of any or all of the following: definition statements; listing of areas of specialization; representative examples of work performed; allocation patterns of representative positions; job evaluation guide charts, standards or factors; statements of inclusion and exclusion; licensure or

certification requirements; and other such information necessary to facilitate the assignment of positions to the appropriate classification.

6. **Classification:** A grouping of positions that perform similar duties and responsibilities and require similar knowledge, skills, and abilities.
7. **Classification Specification:** A document that defines the nature and character of the work of the class through the use of any or all of the following: definition statements; listings of areas of specialization; representative examples of work performed; allocation patterns of representative positions; job evaluation guide charts, standards or factors; statements of inclusion and exclusion; and such other information necessary to facilitate the assignment of positions to the appropriate classification.
8. **Competition:** Opening a position to other candidates. If it is determined that a filled position should be opened to other candidates, the position may be filled through many different transaction types such as promotion, transfer, demotion, reinstatement, etc. For the purposes of this chapter, competition is not synonymous with competitive examination. Refer to section 370.070 of this handbook chapter for more detailed information on competition and competitive examination and descriptions of situations requiring the processing of certification requests.
9. **Competitive Examination:** A method of evaluating an applicant's ability to perform the duties of the job. Refer to section 370.070 of this handbook chapter for more detailed information on when competitive examination may be required.
10. **Confidential:** Section 111.81(7), Wis. Stats., excludes from the definition of employee for collective bargaining purposes "individuals who are privy to confidential matters affecting the employer-employee relationship . . ." Refer to *Wisconsin Human Resources Handbook* Chapter 324—Confidential, Management or Supervisor Exclusions for Positions in the Classified Service for more detail. (<http://oser.state.wi.us/docview.asp?docid=1426>)
11. **Developmental Level:** An intermediate progression level between the entry and objective levels within in a classification series. At a developmental level, the employee is given progressively more complex assignments and/or receives decreasing levels of supervision compared to that at the entry level. This process is designed to enable the employee to develop the competence necessary to independently perform the full range of job duties at the objective level.
12. **Entry Level:** The first level in a progression classification series. Entry level positions function under close supervision and for a majority of the time perform the least complex duties assigned to that position type. Employees at the entry level may perform only parts of a process, procedure, or project; perform the less complex processes, procedures, or projects assigned to that position type; and often function under the direction or mentoring of a more experienced employee in that occupational area.
13. **Filled Position Transfer:** Form of competition where an employee stays in the same position number while the position is assigned new duties that may result in the position remaining in the same classification or moving to a different classification assigned to the same or counterpart pay range. The incumbent is selected to remain in the position, provided due consideration was given to other individuals and the incumbent's qualifications for the position were assessed in relation to the job requirements.
14. **Lead worker:** An employee whose permanently assigned duties include training, assisting, guiding, instructing, assigning and reviewing the work of two or more permanent full-time equivalent classified employees in the Lead worker's work unit as assigned and documented on the work unit's organization chart. Lead workers do not have supervisory authority as defined under s. 111.81(19), Wis. Stats.

Usually, lead workers will be required to lead the work of two or more employees in order to be credited with lead worker duties. Lead workers cannot "share" the responsibility of leading the work of employees. For example, if two positions lead the work of one employee each and together jointly lead the work of one more employee, neither position will meet the definition of lead worker. In certain circumstances, leading the work

of one other employee may justify lead worker status, if the employees are located in a geographically remote office or are in the field.

Note: Agencies use a variety of other terms to describe non-supervisory leadership positions such as project manager, project leader, team leader, project team leader, and project coordinator. These terms are not synonymous with lead worker and additional analysis is required to determine if individuals in these roles function as lead workers. Also, the classification significance of these roles cannot be determined in the abstract and must be evaluated based on the specific class factors and definitions contained in the relevant class specification.

As a general rule, when the work of the Lead worker is significantly different from that of the work s/he leads or the Lead worker performs advanced level duties while leading objective level employees, a separate lead work level is likely to exist within the classification series. When the work of the Lead worker is significantly similar to the work of others s/he leads, the lead work function is likely to be described within the objective level classification definition.

15. **Management:** Section 111.81(13), Wis. Stats., excludes management personnel from the definition of employee for collective bargaining purposes. Section 111.81(13) defines “management” as “those personnel engaged predominately in executive and managerial functions, including such officials as division administrators, bureau directors, institution heads, and employees exercising similar functions and responsibilities as determined by the [Wisconsin Employment Relations] Commission.” Refer to *Wisconsin Human Resources Handbook* Chapter 324 for more detail.
16. **Objective Level:** The classification level that any employee in any position allocated to that classification series can reasonably expect to achieve. This class level is then determined to be the objective level for all positions with similar duties and responsibilities, in that series. Objective level employees must satisfactorily perform the full range of job duties assigned to that position type under general supervision.
17. **Paraprofessional:** Work that is similar to “professional” work but does not have the breadth and depth of true professional work. A paraprofessional employee performs duties that are a narrow, specialized subset of professional duties, does not perform the full range of duties assigned to professional employees, or performs duties of lesser scope, impact, and complexity than duties assigned to professional employees. Paraprofessional duties support the work of professional employees. A paraprofessional employee may carry out or implement plans or projects that are developed, planned, and managed by professional employees, based on extensive experience and supplemental on-the-job training rather than on formal academic education in the discipline itself. Paraprofessional work is performed in a narrow or highly specialized area of the overall occupation and requires a high degree of practical knowledge and skill. The paraprofessional employee often works with considerable independence for significant periods of time. This independence, however, does not alter the nature and character of the work, which is to support a professional discipline.
18. **Position:** “[A] group or set of duties and responsibilities, which require the services of an employee on a part-time or full-time basis.” s. 230.03(11), Wis. Stats.
19. **Position Description:** A structured document that assigns duties and responsibilities to a position. Refer to *Wisconsin Human Resources Handbook* Chapter 310—Completion and Use of the Position Description for more detailed information. (<http://oser.state.wi.us/docview.asp?docid=1621>)
20. **Professional:** Section 111.81(15), Wis. Stats., states, “ ‘Professional employee’ means:
 - (a) Any employee in the classified service who is engaged in work:
 1. Predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical or physical work;
 2. Involving the consistent exercise of discretion and judgment in its performance;
 3. Of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time;

4. Requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual or physical processes; or
- (b) Any employee in the classified service who:
1. Has completed the courses of specialized intellectual instruction and study described in par. (a)(4); and
 2. Is performing related work under the supervision of a professional person to qualify to become a professional employee as defined in par. (a).”

Professional work requires a high order of analytical ability combined with a comprehensive knowledge of (1) the functions, processes, theories, and principles of the occupational area; and (2) the methods used to gather, analyze, and evaluate information.

Professional work cannot be standardized or routine and requires independent judgment and discretion. It involves many “gray areas” that require substantial analysis and judgment to reach the appropriate conclusion and requires education and training in the principles, concepts, and theories of the occupational area. These are most often gained through the completion of a four-year degree in a specified curriculum at a college or university. In a limited number of circumstances, such knowledge may be gained through on-the-job experience.

Professional work requires creativity, analysis, evaluation, and interpretation. It involves applying or interpreting natural law, principles, or theory; evaluating the research of others; and assessing the need for and validity of proposed changes and improvements in procedures and methods. Professional responsibility involves the ability to reason from existing knowledge to unexplored areas; to adapt methods to circumstances that deviate from the standards; and to stay abreast of and evaluate technical subjects, analyses, and proposals.

21. **Progression Series:** A multiple-level classification series where employees are expected to progress by reclassification to the objective level if they satisfactorily perform the full range of duties assigned to the objective level classification for a majority of the time. Progression series often have some combination of entry, developmental and objective level classifications.
22. **Reallocation:** The assignment of a position to a different class by the director as provided in s. 230.09(2), Stats., based upon:
 - (a) A change in concept of the class or series.
 - (b) The creation of new classes.
 - (c) The abolishment of existing classes.
 - (d) A change in the pay range of the class.
 - (e) The correction of an error in the previous assignment of a position.
 - (f) A logical change in the duties and responsibilities of a position. Or
 - (g) A change in the level of accountability of a position such as that resulting from a reorganization when the change in level of accountability is the determinant factor for the change in classification. s. ER 3.01(2), Wis. Adm. Code.
23. **Reclassification:** The assignment of a filled position to a different class by the director as provided in s. 230.09(2), Stats., based upon a logical and gradual change to the duties or responsibilities of a position or the attainment of specified education or experience by the incumbent. s. ER 3.01(3), Wis. Adm. Code.
24. **Regrade:** The determination of the director under 230.09(2)(d), Stats., that the incumbent of a filled position which has been reallocated or reclassified should remain in the position without opening the position to other candidates. s. ER 3.01(4), Wis. Adm. Code.

25. **Supervisor/Supervisory:** Section 111.81(19), Wis. Stats., defines a supervisor as any individual “who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline employees, or to adjust their grievances, or to authoritatively recommend such action” and “whose principal work is different from that of . . . subordinates.” Refer to *Wisconsin Human Resources Handbook*, Chapter 324—Confidential, Management or Supervisor Exclusions for Positions in the Classified Service, for more detail. (<http://oser.state.wi.us/docview.asp?docid=1426>)

Usually, positions will be required to supervise the work of three or more permanent, full-time equivalent, classified employees in order to be credited with supervisory duties because the amount of time required to support the supervisory designation is likely justified by the supervision of at least three employees. Supervising fewer than three employees may not meet the Wisconsin Employment Relations Commission’s *de minimus* test for supervisory duties. Supervisors cannot “share” supervision of employees.

Note: The U.S. Department of Labor Fair Labor Standards Act requires the supervision of at least two permanent full-time equivalent employees as one of the conditions for meeting the executive test for exemption from the overtime provisions of the federal Fair Labor Standards Act.

26. **Support work:** Involves proficiency in one or more functional areas in certain limited phases of a specified program. The work usually does not require knowledge of the interrelationships among functional areas or organizations.

Employees follow established methods and procedures. They may occasionally develop work plans or recommend new procedures related to individual assignments or the immediate work unit. Support work can be performed based on a practical knowledge of the purpose, operation, procedures, techniques, and guidelines of the specific program area or functional assignment. Employees learn to do the work on the job, sometimes requiring many years of experience and may attend specific training courses related to their work.

27. **Technical or Technician:** Similar to “paraprofessional,” this is work that is similar to professional work but does not have the breadth and depth of true professional work, usually in a scientific or technical field such as electronics, computers, etc. Technical employees carry out or implement plans or projects based on extensive experience and supplemental on-the-job training rather than on formal academic education in the discipline itself. They carry out tasks, methods, procedures, and/or computations that are laid out either in published or oral instructions and covered by established precedents or guidelines. Technical work is performed in a narrow or highly specialized area of the overall occupation and requires a high degree of practical knowledge and skill, care and precision. A technical employee does not perform the full range of duties assigned to professional employees, but does perform duties that are a narrow, specialized subset of the professional duties or performs duties of lesser scope, impact, and complexity than duties assigned to professional employees. Technical duties support the work of professional employees. A technical employee may carry out or implement plans or projects that are developed, planned, and managed by professional employees. Some technical work may appear similar to that performed by employees doing beginning-level professional work in the same general occupational field. The experienced technical employee often works with considerable independence for significant periods of time. This independence, however, does not alter the nature and character of the work, which is to support a professional discipline.

Sec. 370.040 Exclusions

1. According to s. ER 3.05, Wis. Adm. Code, “The position of a classified employee shall not be reclassified while the employee is on a temporary interchange under s. 230.047, Stats.”
2. Positions may not be classified, reclassified, or reallocated based on temporarily assigned or acting duties.
3. Limited term employees (LTEs) are not eligible for regrade upon reclassification or reallocation. Nor are they eligible to compete in promotional examinations.

Note: When classification surveys or new classifications are implemented, LTEs do not receive reallocation notices. Instead, the DOA and UW Payroll systems process class code/class title changes for the LTEs and notify agencies of the changes.

4. According to s. ER 3.015(3)(a) and (b), incumbents who are serving the first six months of a trial or probationary period and who have not performed the permanently assigned duties and responsibilities for a minimum of six months are not eligible to be regraded as a result of reclassification or reallocation under ER 3.01(2)(f), Wis. Adm. Code.

Sec. 370.050 Submitting a Reclassification or Reallocation Request

A reclassification or reallocation request may be initiated in one of the following three ways through submission of appropriate documentation:

1. If the first-line supervisor or above in the direct organizational chain of command requests that the position be reviewed for proper classification or recommends a specific classification change, the minimum required documentation is an updated position description (PD) signed by the supervisor, an accurate organization chart and written reasons for the request. Supervisors should consult their agency's policies and procedures for any additional documentation required by the Human Resources Office.
2. If a position's incumbent requests that his/her supervisor review the level of the position and the supervisor takes no action within 30 days or denies the reclassification request, the required documentation from the incumbent is a written request which includes a statement of the events (including the dates when the events took place) which have occurred in regard to the request for a classification review. Incumbents should consult their agency's policies and procedures on how to initiate a reclassification request.
3. If a position incumbent has attained the specified education or experience required by the appointing authority for regrade in a position identified in a classification series where the class levels are differentiated on that basis, the documentation, as determined by the appointing authority, must be submitted by the incumbent and/or appropriate supervisor.

Sec. 370.060 Analyzing a Reclassification or Reallocation Request

Positions are classified, reclassified, or reallocated. Employees may be regraded at the time a position is reclassified or reallocated. Such factors as an employee's current pay rate, length of service, special training or experience not required for the work of the classification, or quality of performance do not justify a classification action, nor does volume of work unless it significantly affects the complexity and/or responsibility level of the position in question. Outside offers of employment or salary increases granted to other employees are not adequate reasons for reclassifying positions.

Reclassification is a personnel transaction used to allocate (i.e., assign) a filled position to a different classification when the position has experienced logical and gradual changes to the point where a different classification becomes more appropriate or when the incumbent has attained the specified education or experience required in a formally defined progression series. Reclassification is the exception rather than the norm for most positions in classified civil service unless the position is in a designated progression series. This is due to the fact that most positions in state service are classified at either the objective or advanced level and movement to the advanced level frequently requires competition.

Reallocation is the assignment of a position to a different classification. Reallocations occur due to:

1. A change in concept of the class or series.
2. The creation of new classes.
3. The abolishment of existing classes.
4. A change in the pay range of the class.
5. The correction of an error in the previous assignment of a position.
6. A logical change in the duties and responsibilities of a position.

7. A change in the level of accountability of a position such as that resulting from a reorganization when the change in level of accountability is the determinant factor for the change in classification.

(See s. ER 3.01(2), Wis. Adm. Code.)

Refer to Attachment #1 for a flowchart describing the general sequence of events for the analysis of most reclassifications.

Steps in Analyzing a Reclassification or Reallocation Request

1. Determine the duties and responsibilities assigned to the position.
 - a. Ensure that a current PD which accurately reflects the position's duties and responsibilities has been developed by the incumbent's supervisor and has been signed and dated by all necessary parties.

Note: If there is a discrepancy between what the employee indicates he/she is doing and what management determines are the assigned duties of the position, every attempt should be made to resolve this problem before the final PD is prepared. Human Resources should discuss the duties and time assignments with the supervisor and employee and review time sheets, work logs, and other records to determine time spent on the duties. If no agreement can be reached, the final PD should reflect the duties as assigned by management. The employee should then be instructed to perform the duties as described and requested to sign the PD as an indication of his/her awareness of the assigned duties (not necessarily of his/her agreement with said assignment). If the employee refuses to sign the PD, the supervisor should note that on the PD. The employee is still held responsible and accountable for performing the duties assigned to the position.

If a goal comprises a large percentage (e.g., 40 percent or more) of the position's time, Human Resources may want to ask the supervisor to break this large percentage down into smaller, more specific time percentages for the worker activity statements. For example, if a position spends 50 percent of its time on Goal A, the supervisor may indicate that the position spends 15 percent of its time on worker activity statement A1, 5 percent on A2, and so on. If there is no more specific identification of the time spent on the worker activity statements, Human Resources must assume that the time percentage assigned to that goal is equally distributed to each of the worker activity statements.

- b. If the PD is general, vague, inaccurate, or incomplete, Human Resources should ask the supervisor to clarify and revise and more specifically describe the goals, worker activity statements, and knowledge, skills, and abilities on the PD.
 - c. Obtain all other necessary materials such as:
 - 1) Organization charts.
 - 2) Copies of old PDs.
 - 3) Confidential, management or supervisory exclusion analysis forms.
 - 4) Agency-specific reclassification justification or memo completed by the position's supervisor describing the logical and gradual changes that occurred to the position's duties.

Note: For more detailed information, refer to *Wisconsin Human Resources Handbook* Chapter 310—Completion and Use of the Position Description, Chapter 330—Preparation and Use of Organization Charts, and Chapter 324—Confidential, Management or Supervisor Exclusions.

2. Determine the appropriate classification of the position.
 - a. It is common for positions in state classified civil service to perform a combination of duties from different classification levels or different classifications. Compare the duties and responsibilities of the position to the classification specifications for the position's present classification, the proposed

classification, and related classifications that might define the duties and responsibilities of the position. Determine which class specification best defines the position (i.e., “best fit”).

It may be difficult to identify the appropriate classification for a position if it doesn’t neatly fit an existing classification. Use the classification specification that most specifically describes the position’s duties rather than one that generally describes such duties and responsibilities. Even if the position performs some of the duties identified in the more general classification specification, the position must be classified using the most specific classification specification that exists.

Example: A position spends the majority of its time developing and monitoring the department’s biennial and annual operating budgets and conducting program, organizational, policy, legislative and fiscal analyses. Although some of the duties performed might be described by the Program and Planning Analyst classification specification, the majority of the duties are analytic functions that are more specifically described by the Budget and Policy Analyst-Agency classification specification. Budget and Policy Analyst-Agency is the more appropriate classification for this position.

- b. Compare the duties and responsibilities of the position to similar positions within the agency and in other state agencies. This information should substantiate the “best fit” decision.

Comparing a position to other similar positions is especially helpful when applying a general classification specification, such as Administrative Manager or Office Operations Associate. The specification language itself may be general and comparing similar positions based on specific duties and responsibilities is strongly encouraged under such circumstances.

Note: Information about positions in other agencies can be obtained from OSER or directly from the agency or campus that has similar position(s). It can be helpful to consult with Human Resources staff in OSER, other agencies, or campuses to identify similar positions. Each agency is required to maintain files of position descriptions for all positions within their agency and OSER maintains files of a number of position descriptions from all state agencies. Many agencies are now maintaining electronic position descriptions, which are easier to share.

- c. If a classification decision cannot be made based on the desk review of the materials received, an in-person audit (i.e., interview) should be conducted. Refer to “Conducting Classification Audits” at <http://oser.state.wi.us/docview.asp?docid=5921> for tips on how to conduct audits.
3. Determine the nature of the changes that have occurred in the duties and responsibilities of the position.

If changes have occurred and support changing the classification of the position, determine whether the changes were logical. If the changes were logical, determine if they were also gradual.

Compare the new PD to the last transactional PD that was formally reviewed for classification purposes (e.g., certification request, reclassification request, or reallocation request). Updated PDs which may have been developed since the last transactional PD was processed should also be included and given consideration in this review because they document changes that occurred in the interim.

Note: When calculating the changes that have occurred, focus on the changes that support changing the classification of the position. For example, if a position dropped 20 percent lower-level duties that were replaced by 20 percent higher-level duties that resulted in a different classification being more appropriate, the time percentage change that occurred to this position would be the 20 percent addition of higher-level duties, rather than a 40 percent change in duties.

Note: The Agency Human Resources Office should always carefully review updated PDs. In accordance with *Wisconsin Human Resources Handbook* Chapter 310—Completion and Use of the Position Description, the Human Resources Manager’s signature on the PD indicates that the position is appropriately classified. If the position is not classified correctly, the appropriate transaction must be initiated to correct it.

It is important to remember that it is natural for all positions to change over time. Positions can be reclassified or reallocated to a higher, lower, or the same or counterpart pay range. The assignment of additional duties at the same classification level does not result in a different classification level being more appropriate. Changes must be significant in relation to the relevant class specifications in order for reclassification or reallocation to be appropriate. Reclassification or reallocation may also be appropriate if there are relatively small time percentage changes, provided they result in a position spending the majority of its time on a different level within the current classification series or a different classification.

a. Were the changes logical?

- 1) Logical changes are changes that are reasonably related to the previous duties or responsibilities of the position. Generally, if the changes are reasonably related to the previous duties, satisfactory performance of the original duties or responsibilities of the position should provide any incumbent with a reasonable expectation that the changed duties or responsibilities will be satisfactorily performed.

“Reasonably related” means that the changes to the position were a natural outgrowth or progression of the previously assigned duties. The new duties are an extension and are of a similar nature to the previously assigned duties that were the basis for the original classification of the position and do not require extensive additional education, training, or mentoring for the incumbent to learn to perform the additional duties. Learning to perform the changed duties may require additional education, training, or mentoring, provided the subject matter is directly related to the original underlying knowledge, skills, and abilities of the position.

Examples of reasonably related duties:

Example A: An Office Operations Associate position orders routine supplies, maintains inventories, and identifies the sources for and orders special supplies. This is the only position in the work unit that performs such duties. It may be logical to assign the position the responsibility for contacting vendors to acquire information to compare prices and quality of the products.

Example B: An Engineering Technician-Transportation position reviews permits for utility right-of-way activities. A new permit program is created that requires the review of permits for driveway access to a roadway. It may be logical to assign the new access permit reviews to this position because it is already reviewing other permits for legal compliance.

Example C: A section has a filled Financial Specialist 2 and a vacant Financial Specialist 3 position. The Financial Specialist 3 position is abolished due to budget cutbacks. Forty percent of the vacant Financial Specialist 3 position’s duties are assigned to the Financial Specialist 2 position, which is the only Financial Specialist position left within that unit. It may be logical to assign these duties to the Financial Specialist 2 position because these duties are reasonably related to the previously assigned duties.

Examples where the duties are **not** reasonably related:

Example A: An Offset Press Operator position being assigned Graphic Designer duties. The Offset Press Operator position was a production worker, and the assignment of graphics design work would not be a logical change because the employee would have to acquire unrelated, specialized technical training to perform the Graphic Designer duties. Even if the employee classified as Offset Press Operator possessed those skills required of Graphic Designers, the graphic design duties are unrelated to the Offset Press Operator duties; one position is mass producing what the other position has created.

Example B: An Office Operations Associate position being assigned certified Nursing Assistant duties. Even if the incumbent possesses or acquires certification as a Certified Nursing Assistant, these changes would not be reasonably related. The changes to the position occurred based on the knowledge, skills, and abilities of the particular incumbent and are not a natural outgrowth of previously assigned duties and responsibilities.

Example C: A position that was hired to perform routine filing and copying being assigned IS Technician duties. The employee hired had extensive experience working with personal computers and is in the process of taking information systems training at a technical college. The supervisor starts adding IS Technician duties to the position, such as installing software on desktop PCs, and eventually submits the position for reclassification to one of the IS Technician classifications. The changes that occurred to this position are not reasonably related because they are based on the knowledge and skills possessed by the incumbent rather than the knowledge, skills, and abilities required by the position for which the employee was hired. The position wasn't originally filled to perform IS Technician duties, and the examination used to fill the position didn't test for such knowledge, skills and abilities.

- 2) Movement of a position from one bargaining unit to another is rare but may be considered logical in very limited situations. Such changes must be reviewed carefully on a case-by-case basis, and the transactions must be approved by OSER.
 - 3) If more than 50 percent of the duties or responsibilities of a position have changed since the position was last formally reviewed for classification purposes (such as for a certification request, reclassification request, or reallocation request), and those changes may affect the classification of the position, the changes are not considered logical changes to a position but are the creation of a new position.
 - 4) **Initial assignment or complete removal of lead work, supervisory or managerial duties or responsibilities are not logical changes.** Such changes constitute such a major change in the concept of a position that they no longer meet the concept of logical.
- b. Were the changes gradual?
- 1) Changes in assigned duties of 25 percent or less are considered gradual changes.
 - 2) Generally, changes are not gradual if they:
 - a) constitute a significant portion of the position (more than 25 percent) and occur over a period of less than six months.
 - b) occur abruptly resulting from a reorganization, changes in the equipment used to perform the work, or a reassignment of duties from a vacant or abolished position.
 - c) result from the removal of a supervisory level.

Examples of changes considered gradual:

Example A: If the duties that constitute the reason for the class level change were previously at least 35 percent of the position, the expansion of such duties to 60 percent of the total position will likely be considered gradual.

Example B: A Facilities Repair Worker position spends 30 percent of its time welding. When this vacant position is filled, the supervisor hires an employee with extensive welding experience. Over several years, the percentage of time spent on welding increases to 40 percent, then to 55 percent. This is the only position in the work unit that performs welding. The expansion of the welding duties to 55 percent may be considered gradual.

Example C: An Office Operations Associate position was filled with a PD identifying 38 percent of the position's time being spent on Purchasing Associate duties. Over a one-year period, the percentage of time spent on Purchasing Associate duties increases to 51 percent. The increase in time spent on the Purchasing Associate duties is likely considered gradual.

Example D: A position experienced 40 percent job change over a one-year period. This may be considered a gradual change, depending on the specifics of the situation.

Examples of changes that are **not** considered gradual:

Example A: As a result of reorganization, a position that provided secretarial and administrative support to a Bureau Director now reports to a Division Administrator. The position will be reviewed for appropriate classification as a result of the reorganization. The changes that occurred to the position are not gradual because they happened at a singular point in time as a result of the reorganization.

Example B: A work unit has one Office Associate position and one Office Operations Associate position. The Office Operations Associate incumbent terminates from state civil service and the Office Associate position is assigned 40 percent of the vacant position's duties. Although the changes that occurred to the Office Associate position may be considered logical, they were not gradual because they resulted abruptly from the assignment of duties from a vacant position.

4. Determine the appropriate type of position classification action to be taken if a change in classification is appropriate.
 - a. Where the change in classification is appropriate because of changes in duties or responsibilities.
 - 1) If the changes in the duties and responsibilities are determined to be both logical and gradual, reclassify the position.

Note: Changes that result in the reclassification of a position from one bargaining unit to a different bargaining unit, and/or the reclassification of a position between broadbands (other than those within a recognized progression series) are rare and should be carefully evaluated on a case-by-case basis. There are limited circumstances where such reclassifications can meet the requirements for logical and gradual change. Transactions such as these are not delegated and must be approved by OSER.

- 2) If the changes in the duties and responsibilities are determined to be logical but fail to meet the criteria for gradual, reallocate the position under ER 3.01(2)(f), Wis. Adm. Code.
- 3) If changes in the position fail to meet the criteria for logical, and a new position is created (i.e., more than 50 percent of the duties have changed), allocate the newly created position to the appropriate classification and process a certification request to initiate a staffing action.

- b. Where the change in classification is appropriate for a reason other than a change in duties or responsibilities.
 - 1) If the reason for the change in classification is the level of accountability of the position (such as that resulting from reorganization), reallocate the position under ER 3.01(2)(g), Wis. Adm. Code.
 - 2) If ER 3.01(2)(a) through (e), Wis. Adm. Code, reasons apply, reallocate the position.
 - 3) If the reason for the change in classification is the attainment of specified education or experience by the incumbent as specified in the classification specification, reclassify the position under ER 3.01(3), Wis. Adm. Code.
- 5. Determine whether the incumbent should be regraded or the position opened to competition.

In order to make this determination, apply the following guidelines and rule provisions.

- a. Where no changes have occurred in the duties and responsibilities, and the position will be reallocated under ER 3.01(2)(a) through (e), Wis. Adm. Code, regrade the incumbent if the appointing authority determines that his/her performance is satisfactory.
- b. Where changes in a position support a reallocation under ER 3.01(2)(f) or (g), Wis. Adm. Code, or reclassification, regrade the incumbent unless:
 - 1) The appointing authority has determined that the incumbent's job performance is not satisfactory.

Note: Refer to "Conducting Classification Audits" at <http://oser.state.wi.us/docview.asp?docid=5921> for additional information on auditing an employee when the supervisor identifies unsatisfactory performance in association with a reclassification or reallocation request.

- 2) The incumbent has not satisfactorily attained specified training, education, or experience in a position identified in a classification series where the class levels are differentiated on this basis.
- 3) The incumbent is serving the first six months of a trial or probationary period.
- 4) The incumbent has not performed the permanently assigned duties and responsibilities for a minimum of six months. The six-month period may include a portion of the trial or probationary period. In rare circumstances, a maximum of three months of a six-month trial or probationary period may be applied if appropriate justification is provided.

Note: Whether an individual is placed on probation or not, incumbents must perform the duties and responsibilities that they were hired for or appointed to for a minimum of three months. Therefore, **nine** months from the date the incumbent was appointed to the position is the absolute earliest date that any incumbent can be regraded. This should be a rare occurrence, and the supervisor must provide documentation stating why this is appropriate (e.g., the incumbent had relevant prior education or work experience).

- 5) The administrator has determined that the position should be filled by competitive examination, even though changes in the position may have been logical and qualify as a reallocation under ER 3.01(2)(f) or (g), Wis. Adm. Code; or logical and gradual and qualify as a reclassification.

Example: A department decides to reorganize to reduce the number of supervisory levels. As a result of the reorganization, a supervisory position that formerly reported to a bureau director will now report to the division administrator and will be assigned additional responsibilities. Although this supervisory position could be reallocated under ER 3.01(2)(g), Wis. Adm. Code, and the incumbent regraded, management determines that they will hold a competitive examination to ensure that the person selected is qualified to perform the assigned duties.

- c. Competition is appropriate under conditions such as the following:
- 1) A position was selected to be assigned duties and responsibilities which warrant a different classification title at a higher, lower, or the same classification level where such assignments could reasonably have been assigned to other positions. Holding competition allows other employees the opportunity to be considered for the position.
 - 2) A position was assigned the duties of a previously vacant position for which competition was held and subsequently cancelled.

Example A: Two Facilities Repair Worker positions have 30 percent of their time assigned to welding. When these two vacant positions are filled, the supervisor hires two employees with extensive welding experience. Over several years, the supervisor determines that the percentage of time spent on welding for one of the positions will need to increase to 55 percent which could result in a change in the classification. Since the increase in welding duties could reasonably be assigned to either of the two positions, competition must be held to fill the position that will spend 55 percent of its time on welding.

Example B: A work unit has two Office Associate positions and one Office Operations Associate position. The Office Operations Associate incumbent terminates from state civil service and one of the Office Associate positions needs to be assigned higher level duties from the vacant position that will affect the classification of the position to which the duties are assigned. These higher-level duties could reasonably be assigned to either of the two Office Associate positions, therefore, it would be necessary to hold competition to assign the higher level duties.

6. Determine what happens to the incumbent of a filled position who is not immediately regraded when a position is reclassified or reallocated.
- a. If an incumbent of a filled position which is reallocated or reclassified is not regraded due to unsatisfactory performance or lack of attainment of specified training or experience, initiate the layoff process or change the duties and responsibilities assigned to the position to reflect the current position classification.
 - b. If an incumbent is not regraded because the administrator has determined that the position should be filled by competitive examination, the employee may temporarily serve in the position on an acting basis, under Ch. ER-MRS 32, Wis. Adm. Code, or on a temporary basis, until such time as a permanent appointment is made or the duties and responsibilities assigned to the position can be changed to reflect the current position classification. The employee must be notified in writing of this status.
 - c. If an incumbent is not regraded because he/she is serving the first six months of a probationary period and/or has not performed the permanently assigned duties for a minimum of six months, the employee may remain in the position pending completion of these time requirements. The effective date of the reclassification request should be modified to reflect the date the incumbent completes the six-month probationary period and/or has performed the permanently assigned duties for the minimum six months.

Sec. 370.070 Competition and Competitive Examination

Part of the classification analysis process for a filled position is determining which transaction to use in assigning the position to the appropriate classification.

There are situations where reclassification is not appropriate because the changes to the position are not logical and gradual, and situations where reallocation is not appropriate because the changes are not logical. Under such circumstances, a certification request must be processed and the position must be filled through competition.

There are also situations where the administrator has determined that the position should be filled by a competitive process rather than by reclassification or reallocation. For the purposes of this chapter, competitive process means that (1) the pool of potential candidates considered for the position is not exclusively limited to the position's incumbent; and (2) the process is consistent with the merit principles, that the individual selected for the position must be qualified for the position as determined through a job-related assessment process. A competitive process does not always require a formal open selection process with a job announcement and examination.

In situations where reclassification or reallocation is not appropriate, the action to be taken depends on the type of transaction:

1. If the appropriate classification for the filled position is a classification assigned to a higher pay range, a certification request must be processed, and the position must be filled by competitive examination which may result in a promotion if the incumbent is the candidate selected.

Note: There are situations where a transfer opportunity must be opened up to the relevant applicant pool, such as if a position was formally downgraded for developmental purposes. The possibility for reclassification to the higher level must be clearly noted in the announcement. Refer to bulletin OSER-0139-MRS for additional information on downgrading positions for developmental purposes (http://oser.state.wi.us/bulletins/bulletin_get.asp?bid=357)

2. If the appropriate classification for the position is at the same or counterpart pay range level, the correct transaction is a filled position transfer and a certification request must be processed to document the assignment of the new duties to the position.

Example: An agency's district office eliminates a vacant Information Systems Supervisor 2 position due to budget constraints. There are too many positions for one position to supervise, so management determines that a lead worker position needs to be created. There are sixteen positions in the work unit and the supervisor wants to use one of them for the new lead worker position. Based on the classification specification, the addition of lead worker responsibilities will not serve as the basis for a different classification level. Reclassification or reallocation would not be appropriate because the addition of lead worker duties does not constitute a logical change in duties. It may be appropriate to transfer one of the employees into this position by processing a replace-changed duties certification request, using the selected employee's position number. In consultation with Human Resources staff, the supervisor may choose to allow any of the sixteen employees to apply for the position or the supervisor can evaluate the pool of sixteen candidates and select one of the employees to be appointed to the position without a formal application process. It's still a transfer, still a form of competition without requiring a competitive examination, as long as the supervisor applied some objective judgment, consideration, and evaluation in selecting which employee will be assigned those duties. If the supervisor announced the position and only one employee applied, it's still a transfer and still a form of competition because other employees had the opportunity to apply for the position, but chose not to do so.

Sec. 370.080 Withdrawing Reclassification Requests

A request may be withdrawn at any time prior to the final classification determination being issued by the Human Resources Office, by the party initiating the request, regardless of whether that is the supervisor, manager or the employee. All such requests must be in writing. In some situations where the employee withdraws the reclassification request, the supervisor may need to revise the employee's position description. If the supervisor/division administrator requests withdrawal, the employee should also be notified in writing by the

supervisor/division administrator of the withdrawal. If the employee disagrees with the action, s/he may initiate a new reclassification request in accordance with agency procedures for self-initiating such a request.

Sec. 370.090 Compensation

Regraded employees whose positions are reclassified to a class assigned to a higher pay range under s. ER 3.01(3), Wis. Adm. Code, or reallocated under s. ER 3.01(2), Wis. Adm. Code, have their pay rate adjusted in accordance with the relevant contract language or nonrepresented Compensation Plan language on pay administration, as appropriate.

If the employee also has reinstatement eligibility or restoration rights to the higher pay range, the employee's pay is calculated in accordance with s. ER 29.03(3), (6) or (7), Wis. Adm. Code, the relevant contract language, or nonrepresented Compensation Plan language on pay administration, as appropriate.

Note: The rules were revised in 1983 to prevent "yo-yo" progression whereby an employee accepts a demotion and the position is reclassified or reallocated at a later date to a higher classification level to which the employee has reinstatement eligibility or restoration rights. The intent of this provision is to treat the reclassification or reallocation as a reinstatement or restoration for pay purposes rather than as a regrade that may provide the employee with an additional pay increase.

Refer to Bulletin OSER-0022-MRS-CLR/LR/PP for definitions of upward classification movements and higher level classes within the same broadband. (http://oser.state.wi.us/bulletins/bulletin_get.asp?bid=210)

Sec. 370.100 Effective Date Policy

1. The transactions below are effective at the beginning of the first pay period following effective receipt of the request. Effective receipt of a request may be made by any office within the operating agency that has been delegated, in writing, effective receipt authority by the appointing authority. However, a later effective date may be designated by the appointing authority when the conditions which warrant the reclassification/regrade or reallocation/regrade (e.g., attainment of required education or experience, performance of duties and responsibilities for six months, etc.) will not occur until such later date.
 - a. Delegated and nondelegated reclassification regrade actions and reallocation regrade actions based on the correction of an error in the previous assignment of a position taken under s. ER 3.01 (1)(e), Wis. Adm. Code.
 - b. A logical change in the duties and responsibilities of a position under s. ER. 3.01(f), Wis. Adm. Code.
 - c. A permanent change in the level of accountability of a position such as that resulting from a reorganization when the change in level of accountability is the determinant factor for the change in classification under s. ER. 3.01(g), Wis. Adm. Code.
2. Effective Dates for Regrades Resulting From Reallocation Actions under s. ER 3.01(1)(a) through (d), Wis. Adm. Code.
 - a. Reallocations based on the modification, creation, or abolishment of classifications under s. ER 3.02(a), (b), or (c), Wis. Adm. Code, respectively.

According to s. 230.09(2)(am), Wis. Stats., the authority to modify, create or abolish classifications is limited to the OSER Director or his/her designee.

- 1) For all classifications, represented and not represented by a certified collective bargaining unit:

The effective date for the modification, creation, or abolishment of classifications is the first day of the first pay period following the approval by the OSER Director or a later date if the Director specifies a later date.

Note: The creation or abolishment of classifications is a prohibited subject of bargaining under s.111.91(2)(b)(2), Wis. Stats.

- b. Reallocations based on the assignment or reassignment of classifications to pay ranges under s. ER 3.02(d), Wis. Adm. Code.

According to s. 230.09(2)(b), Wis. Stats., the OSER Director has the authority to assign and reassign nonrepresented classifications to pay ranges.

According to s. 111.91(1)(1), Wis. Stats., the assignment of classifications to pay ranges is a mandatory subject of bargaining.

- 1) For classifications not represented by a certified collective bargaining unit:

The assignment or reassignment of classifications to pay ranges will be the first day of the first pay period following the approval by the OSER Director or a later date if the Director specifies a later date.

- 2) For classifications represented by a certified collective bargaining unit:

The assignment or reassignment of classifications to pay ranges shall be the first day of the first pay period following the approval by the OSER Director or a later date if the Director specifies a later date **unless** the Director negotiates a different date as part of a collective bargaining agreement regarding the effective date of the assignment or reassignment of classifications to pay ranges.

3. Agency reorganization classification actions.

Wis. Stats. 230.09(2)(c) states:

“If anticipated changes in program or organization will significantly affect the assignment of duties or responsibilities to positions, the appointing authority shall, whenever practical, confer with the director within a reasonable time prior to the reorganization or changes in program to formulate methods to fill positions which are newly established or modified to the extent that reclassification of the position is appropriate. In all cases, appointing authorities shall give written notice to the director and employee of changes in the assignment of duties or responsibilities to a position when the changes in assignment may affect the classification of the position.”

The Department of Administration (DOA) Division of Executive Budget and Finance publishes guidelines which indicate when reorganization plans must be submitted to DOA for review and approval. Certain reorganizations are delegated to the agencies and do not require approval by DOA. For nondelegated reorganizations which require DOA approval, agencies submit proposals to the DOA Division of Executive Budget and Finance and to OSER. DOA reviews and evaluates the reorganization plans to ensure the structural change will accomplish goals such as to make public services more responsive or accessible to the public, to improve program and fiscal decision making, to improve efficiency, and to accommodate new services or functions. DOA authorizes agencies to proceed with the reorganization, but does not set the effective date of actual implementation of permanent changes to positions’ responsibilities.

In accordance with the DOA guidelines, “Personnel transactions which carry out a reorganization still must be subsequently approved by OSER and the DOA budget analyst.” Reorganization changes are implemented by certification request as replace changed duties. Under some limited circumstances, a logical change reallocation may be processed in lieu of a certification action.

OSER must review the nondelegated classification actions which formally implement the reorganization. As always, upon DOA approval of the proposed reorganization, agencies may immediately assign or reassign duties and responsibilities to staff. Those assignments are temporary until formal action is taken to permanently implement the changes by processing either a certification request or a reallocation request.

Nondelegated reorganization-related classification actions become effective the first day of the first pay period following the date of OSER's approval of the certification or reallocation requests, unless the reallocation request designates an earlier effective date and OSER approves that date.

Delegated reorganization classification actions become effective the first day of the first pay period following the date of approval of the certification or reallocation requests by the Agency Human Resources staff, unless the reallocation request designates an earlier effective date that the Agency HR office has approved.

4. Multiple and/or Simultaneous Transactions.

According to s. ER 3.03(4), Wis. Adm. Code, requests for reallocation, reclassification, or regrade are canceled when an employee resigns, retires or is terminated from pay status in the position prior to the effective date of the requested action.

However, requests for reallocation, reclassification, or regrade must be processed if an employee resigns, retires, is terminated and/or transfers, demotes, etc., on the same or later date as the requested action is to take effect. (See s. ER 29.04, Wis. Adm. Code, for order of application when multiple pay adjustments occur on the same date.)

Sec. 370.110 Documentation of Decision

1. Agencies use a variety of reclassification or reallocation write-up formats to document reclassification or reallocation analyses. Human Resources Staff use these forms to document the changes that have occurred to the position, compare the position to the relevant classification specifications, compare to other positions within state civil service, and explain why regrade is appropriate and whether or not competition may be necessary. The comparison of the position to the classification specification should consist of more than a quotation of the classification specification language; the comparison should specifically cite goals and worker activities that meet the specification language.
2. Documenting reclassification or reallocation denials.
 - a. It is particularly important to document a reclassification or reallocation denial because:
 - 1) The letter provides the employee with a detailed description of the analysis that was conducted and explains the reasons the reclassification or reallocation was denied.
 - 2) For a nondelegated decision, the agency's denial letter provides information to OSER regarding why the request was denied. OSER is responsible for making the final classification decision for nondelegated classification actions.
 - 3) The letter informs the employee of the right to appeal and the process to follow in order to file an appeal.
 - 4) The denial letter serves as a crucial exhibit if the employee appeals the decision to either the Office of State Employment Relations or the Wisconsin Employment Relations Commission.
 - 5) A well-documented denial letter should provide the employee with the facts supporting the denial and may result in an employee choosing not to appeal the classification decision to either the Office of State Employment Relations or the Wisconsin Employment Relations Commission.
 - b. Denial letters must be addressed to the individual who initiated the reclassification request. If the supervisor initiated the request, the denial letter should be addressed to the supervisor. If the employee initiated the request, the denial letter should be addressed to the employee.

OSER processes the nondelegated denial letter and the accompanying reclassification or reallocation analysis documentation through the agency human resources office for appropriate distribution within the agency. Agencies should develop internal procedures for processing all reclassification and reallocation denials to ensure that the employee's supervisor or manager receives the denial letter for distribution to the employee and to document when the employee received the decision.

The denial letter must document the changes that have occurred to the position, the comparison of the position to the relevant classification specifications, comparisons to other positions within state civil service, and whether regrade is appropriate and whether competition is necessary. Refer to Attachment #2 for a sample denial letter.

Denial letters must include the employee's right to appeal the classification decision.

1) Standard delegated reclassification appeal rights language:

If the employee disagrees with this decision, s/he may appeal this action to the Wisconsin Employment Relations Commission, 18 South Thornton Avenue, Madison, Wisconsin 53703. Appeals must be made in writing and must be received by the Wisconsin Employment Relations Commission within 30 calendar days from the effective date of the decision or the employee's notification of such decision, whichever is later. The employee should contact the Wisconsin Employment Relations Commission directly to receive information on the procedures for filing an appeal (including any applicable filing fees).

2) Standard nondelegated reclassification appeal rights language:

If the employee disagrees with this decision, s/he may appeal this action to the Administrator of the Division of Merit Recruitment and Selection, Office of State Employment Relations, by submitting a written request to the employee's agency Human Resources Manager. Appeals must be made in writing and must be received by the agency Human Resources Manager within 30 calendar days from the effective date of the decision or the employee's notification of such decision, whichever is later. Upon receipt of the written appeal, the agency Human Resources Manager will forward the employee's request and pertinent materials to the Office of State Employment Relations.

3) If OSER denies a nondelegated reclassification request, the employee's appeal rights are to the Wisconsin Employment Relations Commission, and the language is the same as under (2)(b)(2) above (the delegated reclassification appeal rights language).

- c. It is strongly recommended that agencies use the *Employee Notification Form: Receipt of Reclassification or Reallocation Decision* (OSER-DMRS-204; <http://oser.state.wi.us/docview.asp?docid=1224>) to document an employee's receipt of reclassification or reallocation denial. This form documents when the employee received notification of the decision and assists in determining whether the employee's appeal was filed in a timely manner.

Sec. 370.120 Classification Appeals

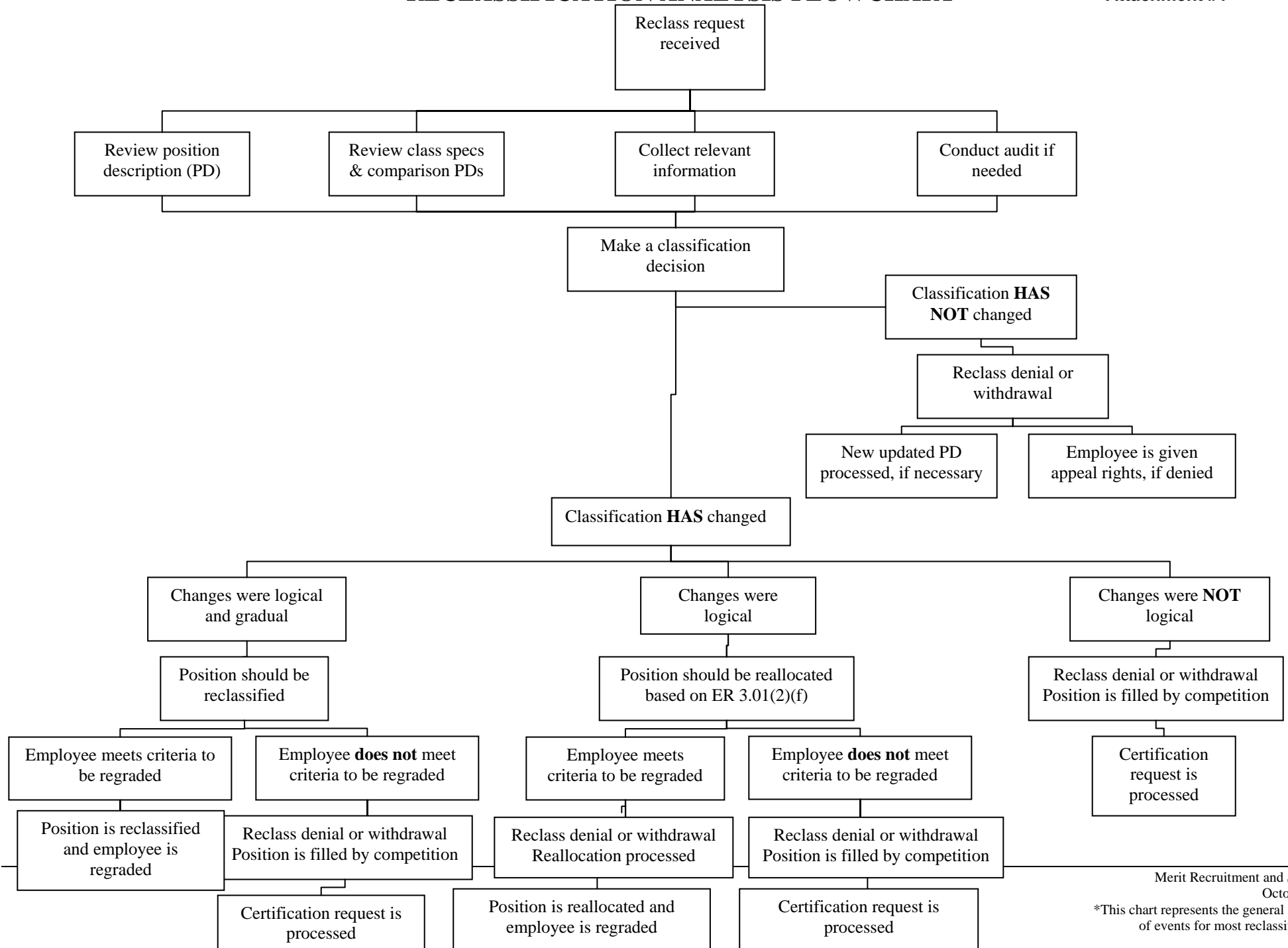
Please see *Wisconsin Human Resources Handbook* Chapter 420—Appeal Procedures for Classification Actions, for additional information on classification appeals. (<http://oser.state.wi.us/docview.asp?docid=1392>)

Sec. 370.130 Administrative Information

This chapter replaces Wisconsin Personnel Manual Chapter 332—Job Classification – Policies and Procedures published in 1983 and DER Bulletin CLR/POL-57 published on Effective Dates for Classification Related Actions, which should be discarded.

RECLASSIFICATION ANALYSIS FLOWCHART*

Attachment #1



Merit Recruitment and Selection
October 2006

*This chart represents the general sequence of events for most reclassifications.

**SAMPLE RECLASSIFICATION DENIAL LETTER
For Delegated and Nondelegated Reclassifications**

Date:

To: Name of Addressee (i.e., person who initiated the request)

From: Auditor Name
Agency Name

Subject: Reclassification Request for (employee's name), # _____

The introductory section should include:

- Name of the employee (unless the memo is addressed to the incumbent).
- Organizational location of the position.
- Current and requested classification levels.
- Date and location of the audit.
- Name of the Auditor.
- Names of other individuals contacted.
- Statement of comparisons to the relevant classification specifications.
- Statement regarding comparisons to comparable and contrasting positions.
- The resulting classification decision.

Next, summarize the duties and responsibilities of the position, citing the goals and important worker activity statements from the old and new position descriptions. Include the dates of the PDs used for the evaluation.

Describe the changes that have occurred to the position since it was last reviewed for classification purposes, including time percentage changes, the addition of new duties, duties that are no longer performed, or how the duties have become more complex.

Cite the relevant classification specifications and compare the new position description to the specifications, including comparisons to the inclusion and exclusion statements, definition language, and representative positions. Clearly explain why the position does not compare favorably to the requested classification specification requirements, citing required classification factors that the position does not meet in terms of scope, impact, complexity, discretion, and accountability. Explain why the position is more appropriately described by the current classification specification, again citing specific language from that specification. In some cases, a classification other than the current or requested class is more appropriate for the position and a detailed explanation should be provided.

Compare the incumbent's position to comparable and contrasting positions both within the incumbent's agency and within other state agencies. For example, if a request for a Human Resources (HR) Specialist–Senior is being denied reclassification to the HR Specialist–Advanced level, the comparable positions would be appropriately classified HR Specialist–Senior positions and the contrasting positions would be HR Specialist–Advanced positions. Specifically explain why the incumbent's position does not compare favorably to the comparison positions in terms of scope, impact, complexity, discretion, and accountability factors described in the classification specification.

Summarize the conclusion reached as a result of the classification analysis.

The final section states the employee's right to appeal the decision to the appropriate authority. (Refer to *Wisconsin Human Resources Handbook* Chapter 370.120 for standard appeal rights language.)

If the Office of State Employment Relations denies the reclassification request, the employee's appeal rights are to the Wisconsin Employment Relations Commission.