

The University of Wisconsin System
UPS OPERATIONAL POLICY: BN 12



SUBJECT: Continuous Service

Original Issuance Date: July 1, 2015

Last Revision Date:

1. POLICY PURPOSE:

The purpose of this policy is to define continuous service and applicable adjustments to a continuous service date for University of Wisconsin employment.

2. POLICY BACKGROUND:

Prior to July 1, 2015, continuous service for classified employees (university staff effective July 1, 2015) was provided for in [Wis. Stat. Chapter 230](#) and [Wis. Admin. Code Chapter ER 18](#). Wis. Stat. [§ 36.115\(2\)](#) requires the Board of Regents and the UW-Madison Chancellor to develop personnel systems that are separate and distinct from the personnel system under [Wis. Stat. Chapter 230](#).

Effective July 1, 2015, continuous service policies for all UW System employees will be provided for in this policy.

3. POLICY DEFINITIONS:

Please see UPS Operational Policy [GEN 0: General Terms and Definitions](#) for a list of general terms and definitions.

Definitions specific to this policy:

“Continuous service” or “adjusted continuous service” means all the time in a position with an expectation for continued service with a UW System institution or with another State of Wisconsin agency, adjusted for any breaks in service. Continuous service at the University of Wisconsin System does not include time served in positions that are ineligible for leave according to [UPS Operational Policy BN 3: Sick Leave](#).

“Continuous employment” means employment in a sick leave-earning position according to [UPS Operational Policy BN 3: Sick Leave](#) or UW-Madison Human Resources Design (HRD) policy within the University of Wisconsin System or the State of Wisconsin that has not experienced a break in service longer than the reinstatement period for the applicable employment category. Continuous employment will be counted in determining an employee’s length of continuous service.

4. POLICY:

An employee's service duration, which is used in benefit eligibility and entitlement calculations, is based on the employee's continuous service date.

The continuous service/adjusted continuous service date is the date on which an employee's current period of continuous service is considered to have begun. This date is adjusted for any breaks in service or time in service that is not eligible. Continuous service is not prorated for part-time employment. Continuous service determines the amount of annual leave employees earn, and under the Sick Leave Credit Conversion Program it determines eligibility for supplemental sick leave credits, and the amount of these credits, for employees at retirement.

A. Continuous Service vs. WRS Creditable Service

Continuous service is not the same as Wisconsin Retirement System (WRS) creditable service. Creditable service is [defined by the Department of Employee Trust Funds](#) as the years of service for which a WRS participant has received credit under the WRS. This includes all service for which contributions have been made, purchased service, and any retirement service credit granted by the employer prior to the date the employer joined the WRS.

For example, an employee who worked for city or county government prior to his or her state employment and who was a participant in the (WRS) Wisconsin Retirement System earned WRS-creditable service for that employment. Thus, that employee's total years of WRS-creditable service would most likely be greater than the employee's years of adjusted continuous service. Differences between the two types of service might also exist if a state employee left state service, took a separation benefit from the WRS, and reinstated to state employment within the time period for the previous state employment to count for continuous service seniority purposes. In this example, the employee's continuous service years would likely be greater than the employee's WRS creditable service years. An employee who works less than full-time for an entire year earns a full year of continuous service regardless of the number of hours worked that year, but the amount of WRS-creditable service the employee earns may be less than a full year.

B. Eligibility for Continuous Service

An employee is eligible to earn continuous service for UW System employment if the employee is in a leave-earning university staff, faculty, academic staff or limited appointment as outlined in [UPS Operational Policy BN 3: Sick Leave](#). Consistent with [§ ER 1.02\(6\), Wis. Admin Code](#), employees earn continuous service for the time spent in continuous employment status at non-UW state agencies, and continuous service for UW System employees hired by another state agency should be calculated in accordance with [§ ER 18.02, Wis. Admin. Code](#). Service at an authority (such as the University of Wisconsin Hospital and Clinics (UWHC) or the Wisconsin Economic Development Corporation (WEDC)) does not count towards state continuous service.

C. Breaks in Service/Reinstatement Periods for Continuous Service

Continuous service is adjusted for any break in service or time in service that does not count as continuous service. The continuous service of an employee is considered uninterrupted and shall not be adjusted for the break if the employee:

1. Was on an approved leave of absence as provided under UPS Operational Policy [BN 4 Wisconsin and Federal Family and Medical Leave Acts](#) or UPS Operational Policy [BN 8: Non-Medical Leaves of Absence](#)

2. Was absent on military leave as outlined in UPS Operational Policy [BN 9: Military Leave](#).
3. Was absent due to injury or illness arising from state employment and covered by UPS Operational Policy [GEN 31: Worker's Compensation](#), or UPS Operational Policy [GEN 12: Hazardous Employment Benefits](#).

D. Reinstatement for Purposes of Continuous Service

Continuous service shall also be considered uninterrupted if an employee leaves eligible service through resignation or layoff and is reemployed to eligible University employment within his or her reinstatement period. The time between an employee's resignation and reinstatement shall not be counted towards the employee's continuous service and the original service date must be adjusted for any such period.

(1) Reinstatement periods are as follows:

- (a) Under [Wis. Admin. Code UWS § 19.03](#), if a faculty, academic staff, or limited appointee terminates University employment and returns to an eligible faculty, academic staff or limited appointment at the University within three years, the employee's continuous service will be adjusted to reflect the total duration of service for both periods of employment, adjusted for any breaks.
 - (b) If a faculty, academic staff, or limited appointee terminates University employment and returns to an eligible university staff appointment at the University within five years, the employee's continuous service will be adjusted to reflect the total duration of service for both periods of employment, adjusted for any breaks.
 - (c) If a university staff employee terminates University employment and returns to any eligible appointment at the University within five years, the employee's continuous service will be adjusted to reflect the total duration of service for both periods of employment, adjusted for any breaks.
 - (d) If an employee of a State of Wisconsin agency terminates classified employment and starts an eligible appointment at the University within five years, the employee's continuous service will be adjusted to reflect the total duration of service for both periods of employment, adjusted for any breaks.
 - (i) The UW will recognize the time in continuous employment status at other State of Wisconsin agencies as outlined in [ER 1.02\(6\)](#). This computation is covered in the Wisconsin Human Resources Handbook [Chapter 732](#).
 - (ii) Service at an authority does not count towards state continuous service.
- (2) Termination from the University due to misconduct or delinquency may result in the loss of all continuous service. Any return to service following termination for misconduct or delinquency is deemed to not be a qualifying reemployment under this provision, even though the return is within the three- or five-year period.
- (3) If the break in employment is longer than the specified reinstatement period, the continuous service is considered interrupted and the continuous service date shall start with the current appointment (if eligible for continuous service). Any service earned in previous positions prior to the break or in non-leave earning positions may not be counted when calculating continuous service.

E. Sick Leave Conversion at Layoff, Retirement or Death

- (1) According to UPS Operational Policy [BN 3 Sick Leave](#) UW System employees are eligible for the Sick Leave Credit Conversion Program which allows for conversion of their sick leave credits to pay for State Group Health Insurance at layoff, retirement, termination with 20 years of state service, or death provided eligibility requirements are met under the Accumulated Sick Leave Conversion Credit (ASLCC) and Supplemental Health Insurance Conversion Credit (SHICC) provisions of the Sick Leave Credit Conversion Program as outlined in Wis. Stat. §§ [40.05\(4\) \(b\)](#) and [40.95](#).
- (2) For sick leave credit purposes, an employee must cross his or her continuous service date to earn a full year of continuous service unless the employee is serving in a faculty, academic staff or limited position that has an academic contract period of less than 12 calendar months at the time of retirement. Employees who meet any of the following criteria are eligible for a full year of continuous service for the final year of employment:
 - (a) Continuous service date is the start of an academic year and retirement date is the end of an academic year or is during the summer following the end of an academic year; or
 - (b) Continuous service date is during the summer preceding the start of an academic year and the retirement date is either the end of an academic year or during the summer following the end of an academic year.

5. RELATED DOCUMENTS:

[UPS Operational Policy BN 1: Vacation, Paid Leave Banks, and Vacation Cash Payouts](#)
[UPS Operational Policy BN 3: Sick Leave](#)
[UPS Operational Policy BN 4 Wisconsin and Federal Family and Medical Leave Acts](#)
[UPS Operational Policy BN 8: Non-Medical Leaves of Absence](#)
[UPS Operational Policy BN 9: Military Leave](#)
[UPS Operational Policy TR 1: Transition of Classified Staff to University Staff](#)
[UPS Operational Policy TR 2: Effect on WRS Service, Accrued Leave & Continuous Service When Moving To and From UW System Institutions or Agencies](#)
[UPS Operational Policy TR 3: Voluntary Reassignment of Formerly Classified FLSA-Exempt Employees to Academic Staff/Limited Appointment Positions](#)
[Wisconsin Human Resources Handbook Chapter 732](#)
Wisconsin Admin. Code § [ER 1.02\(6\)](#)
Wisconsin Admin. Code § [ER 18.02\(2\)](#), Computing continuous service
Wis. Stat. §§ [40.05\(4\) \(b\)](#) and [40.95](#)

6. POLICY HISTORY:

[Wisconsin Admin. Code Chapter UWS 19, Sick Leave](#)