

State of Wisconsin
DEPARTMENT OF EMPLOYMENT RELATIONS

May 30, 1990

Kenneth A. Shaw, President
University of Wisconsin System
Room 1720 Van Hise Hall
Madison, WI 53706

Dear President Shaw:

RE: Process for Conversion of Classified Positions to Academic Staff

Recently enacted 1989 Wisconsin Act 31 amended s. 36.09(1)(i), Wis. Stats., to provide that: "No position under the general policies unless the secretary of employment relations approves the designation." The Department of Employment Relations (DER) recognizes that there are instances in which the UW System must redesign its classified and unclassified positions in order to meet the special missions of the institutions. At the same time, the UW System recognizes that the Department of Employment Relations has the responsibility to protect the civil service merit principle with respect to the classified service.

Under the joint policy adopted by our agencies in 1975, it is agreed that certain positions in the UW System must be assigned to the classified service. Other positions are appropriately described as academic staff because the nature of the work performed is clearly unique to higher education. However, there are many other positions which can be described in either the classified or unclassified service. It is my belief that the amended statute is not intended to impose unnecessary delays in the decision-making process when the UW System needs to redesign positions that would clearly be described as academic staff. To that end, the UW System should have the authority to make determinations on my behalf as to academic or classified status for certain types of transactions. The UW System's Unclassified Personnel Guideline #7 can be used as a framework for the administration of s. 36.09 (1)(i) Stats. (In the event that UPG #7 is modified, this agreement will be reviewed to determine the necessary modification.) Accordingly, the UW System and the Department of Employment Relations agree to implement the statute by applying the following protocols making use of these guidelines.

- 1) All UW-System units will submit requests for changes in status to the UW-System Administration Office of Human Resources.
- 2) In the event the UW System Administration Office of Human Resources determines that a classified position has been redesigned so that the duties and responsibilities are described by the Administrative Director title (No Prefix level) assigned to UWS

salary grade 7 or above, the UW System Administration Office of Human Resources will have the authority to approve such designations pursuant to UPG #7.

- 3) In the event the UW System Administration Office of Human Resources determines that a classified position has been redesigned so that the duties and responsibilities are described by an unclassified title listed in UPG #7, Supplemental Guideline Part I, Sections A. or B., the UW-System Office of Human Resources will have the authority to approve such designation.
- 4) Requests for all other conversions shall be forwarded to the Administrator, Division of Classification and Compensation, Department of Employment Relations for review and approval. The Office of Human Resources shall recommend the appropriate title and provide documentation as to the position's duties and responsibilities, and the rationale for its recommendation. The Administrator will determine the appropriate service designation based on the criteria set forth in the joint policy adopted in 1975, the supplemental guidelines attached to UPG #7, the contributions of the position to the institution mission, the nature of the service provided to faculty, staff and students, the comparability of the position to other positions in state service and the availability of an appropriate classification in the classified service.

I believe this process will ensure prompt and fair examination of position designations. As we gain more experience with this issue, we may be able to find ways to further expedite the approval process required by law. In the meantime, this joint agreement should provide a solid foundation for responding to this complex issue.

Sincerely,

/s/*

Constance P. Beck, Secretary
Department of Employment Relations

CPB:ATM:PLW

Attachment

* Original signed letter on file.