

## University Personnel System (UPS) – Key Changes Effective July 1, 2015

### Employee Categories

As of July 1, 2015 the employee categories for classified employees will change. The formerly named “Classified Staff” will now be “University Staff”, and this will include project appointees and temporary staff. University Staff will include all titles identified as “nonexempt” (hourly) under the provisions of the Fair Labor Standards Act (FLSA). Incumbent University Staff holding positions that are “exempt” (salaried) under the FLSA will be able to remain in the University Staff category, or may voluntarily choose to join the ranks of Academic Staff or Limited Appointees.

From this time forward, all exempt titles will be included in, and recruited as Academic Staff or Limited Appointees.

| Current              | Non-Exempt   | Exempt  |
|----------------------|--|---|
| Classified permanent | University Staff with the expectation of continued employment        | University Staff with the expectation of continued employment (will have a choice to become academic staff) |
| Classified Project   | University staff project appointments                                | N/A   |
| Classified LTE       | University staff temporary appointments (hour limitation stays 1044) | N/A   |

### Recruitment

According to Wis. Stat. §36.115, the UW System will continue to use civil service and merit selection principles. However, the UW System will no longer be subject to Wisconsin Statutes, Chapter 230, *State Employment Relations*, a chapter of the statutes that covers State of Wisconsin employment and is overseen and enforced by the Office of State Employment Relations (OSER). Recruitment processes and procedures will be determined by each institution to meet its needs. There will no longer be a requirement to post University staff positions in Wisc. Jobs.

All vacant exempt university staff positions filled with an effective date after July 1, 2015 will be filled as academic staff or limited appointments.

### Title Change

A title change will no longer be known as a *reclassification*. Title changes will occur when there have been significant changes to the duties and responsibilities of the job. Those classified staff currently in a progression series can still move to the expected higher level in the series and will then have an option to remain university staff exempt or to move to an academic staff title (attached is a list of classifications in a progression series).

## Permissive Reinstatement of Employment Eligibility

Current UW employees in permanent classified positions as of June 30, 2015 (whether or not they have passed probation) will have reinstatement eligibility to a classified position at another State of Wisconsin agency for five years, or until June 29, 2020.

According to the Office of State Employment Relations (OSER), “reinstatement” means “the act of permissive reappointment without competition of an employee or former employee to a position in the same classification in which the person was previously employed; or in a class having a lower pay rate or pay range maximum for which the person is qualified to perform the work after the customary orientation provided to newly hired workers in the position.” The only difference between a “reinstatement” and a “transfer” is that an individual applying as a reinstatement has had a break in service from a permanent, classified position within the State of Wisconsin.

Therefore, when applying for a position at another state agency, employees with reinstatement eligibility are treated similarly as permissive transfers, in that each employee will have the ability to apply for vacancies posted at the same, counterpart, or a lower pay range as the classified title the employee held on June 30, 2015.

Accumulated WRS creditable service will not be affected – credits remain in your account. Accumulated sick leave balances transfer to the new sick leave eligible position with no break in employment. Current vacation earned will transfer to the new vacation eligible position with no break in service. The receiving State Agency will determine if vacation carryover and/or banked leave is accepted. Time worked in a leave-eligible position counts toward continuous service date when moving to a state agency.

## Job Security / Employment Expectations

Changes in terminology:

| Classified Staff     | University Staff   |
|----------------------|--|
| Classified Permanent | University Staff with an expectation of continued employment   |
| Classified Project   | University Staff Project – project cannot exceed duration of 4 years.  |
| LTE                  | University Staff Temporary: 1044 hour available limit prior to July 1 will continue after July 1. No longer required to be a Wisconsin resident. |

University Staff employees will be required to serve a probationary period of at least six months’ duration, unless the institution obtains the approval of the Human Resources Director to designate a 12 month probationary period for Supervisors, Public Safety positions, Power Plant operations or other positions of a cyclical nature where the full range of duties could only be experienced over a full year.

Upon approval of the Human Resources Director, probations may be extended or reduced in length.

## Discipline & Grievances

There are no significant changes to the discipline process; employees that have passed probation will still have the protections of just cause\* for discipline. Grievance processes will be significantly changed due to individual institutions' choices as to how to meet the requirements for an Impartial Hearing Officer.

Arrangements to present grievance appeals to WERC or to the BOR must be made by the individual institution, as OSER will no longer be handling any aspect of the appeals process.

| Classified Staff     | University Staff  |
|----------------------|---|
| Classified permanent | University staff passed probation will continue to have the protection of just cause* for any discipline. Discipline should be based upon violations of expressed workplace expectations. Classified staff employed June 30, 2015 will continue to have the right to appeal a suspension, discharge or layoff to the Wisconsin Employment Relations Commission (WERC) under ER 46.07 Wis. Adm. Code or choose to follow local grievance procedures. |
| Classified Project   | At-will employment  |
| LTE                  | At-will employment  |

\*Just Cause is the standard by which the employer must demonstrate that any discipline imposed meets the requirements of constitutional Due Process.

## Layoff

| Classified Staff                                   | University Staff  |
|--|---|
| Layoff plans must be created and submitted to OSER | UW system institution must develop a plan under which a layoff will occur.  |
| Decisions will be based primarily on seniority     | Decisions will be based on: <ul style="list-style-type: none"> <li>Needs of institution to deliver services;</li> <li>Relative skills, knowledge, or expertise of employees;</li> <li>Length of service of employees (based on adjusted continuous service date); and</li> <li>Other appropriate criteria.</li> </ul> |
| Scope of layoff plans is employing unit            | Scope of layoff plans is operational area   |
| LTE & project employees must be laid off first     | Whenever practicable, temporary employees shall be reduced before invoking layoff procedures. Employees on probation may be dismissed prior to non-probationary employees, providing the remaining employees can perform the work.  |

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|---|---|
| Employees may receive at-risk notices                           | No requirement to identify employees as at-risk.  |
| Employees will be given not less than 15 calendar days' notice. | Employees will be given not less than 30 calendar days' notice.   |
| Layoffs can be appealed to the WERC.                            | Layoffs can be appealed through the appropriate grievance procedure (see UPS Operational Policy <a href="#">GEN 14: Grievance Procedures</a> ). |

## “Choice” Voluntary Reassignment

Exempt university staff will be given the “choice” to voluntarily reassign to the academic staff or to a limited appointment. Part of this process will be to have a designated individual in the Human Resources office do an FLSA review of each position to ensure that the duties performed are FLSA exempt and that the choice given to an employee to either stay as exempt University Staff, or to move to an academic staff or a limited appointment is offered appropriately.

The decision to move to an academic staff/limited appointment is the employee’s decision.

## Compensation

Compensation administration will be governed by the Board of Regents and [UPS Operational Policy TC 3: Compensation](#) and not OSER’s Compensation Plan. Pay plan adjustments will be determined by each institution based on the Board of Regents Pay Plan Distribution Guidelines.

Exempt university staff are salaried and not eligible for overtime or compensatory time.

## Leave and Benefits

There are no changes to how much sick leave, vacation and personal holidays a person earns or the vacation banking schedules.

*Project Appointments:* Time in a project appointment will count toward continuous service. Employees in project appointments on July 1, 2015, who have never attained permanent status will have a continuous service date of July 1, 2015. Employees hired on or after July 1 will follow the continuous service rules.

Most notable university staff benefits changes include:

| Leave and Benefits      | Classified Staff           | University Staff   |
|-------------------------|----------------------------|--|
| Annual Leave (Vacation) | Can be used after 6 months | Can be used as of the first day of employment.<br><br>Annual leave earned in a project appointment will transfer into any successive leave-eligible appointment. |

|   |  |   |
|---|--|---|
| Sick Leave  | Classified project employees lost accumulated sick leave at the end of their appointment.  | Sick leave earned as a project employee will transfer into any successive leave-eligible position.                            |
| Reporting Increments  |  | Exempt - ½ or whole day increments, like Academic Staff<br>Non-exempt - 15 minute increments                                  |
| Banking Annual Leave  | Able to bank unused vacation   | Can bank current year's and carryover vacation  |
| Personal Holiday  | Employee must pay back PH used if terminated in first 6 months                             | University staff will no longer be required to pay back used personal holiday if terminate within the first 6 months.         |
| Vacation credits upon retirement or termination (not for cause) | Can remain on payroll if not laid off or terminated for cause                              | Using credits to extend time on payroll is at the employer's discretion.  |
| Catastrophic Leave  | Classified employees can only donate to and receive leave from other classified employees. | Employees will be able to donate leave to and receive leave from any leave-eligible employee, regardless of employee category |

Detailed benefits changes can be found at:

[https://www.wisconsin.edu/personnelsystems/download/development\\_documents/ops/bn/Summary-of-All-Leave-Policy-Changes.pdf](https://www.wisconsin.edu/personnelsystems/download/development_documents/ops/bn/Summary-of-All-Leave-Policy-Changes.pdf)

[https://www.wisconsin.edu/personnelsystems/download/development\\_documents/ops/tr/US-to-AS-or-LI-Cover-Chart-Updated-03\\_2015.pdf](https://www.wisconsin.edu/personnelsystems/download/development_documents/ops/tr/US-to-AS-or-LI-Cover-Chart-Updated-03_2015.pdf)

All Operational Policies (Ops) and many supporting documents can be found on the website at:

<https://www.wisconsin.edu/personnelsystems/policies/ops/>