# Work Group Recommendations

## Work Group Name:
**Employee Categories**

## Date:
March 16, 2012

## Work Group Lead(s):
Shannon Bradbury, UW-Milwaukee  
Tim Danielson, UW-Oshkosh

## Work Group Members:
- Dave Carlson, UW Colleges  
- Tony Roman, UW-Extension  
- Joe Schoenebeck, UW-Green Bay  
- Deb Hanson, UW-La Crosse  
- Sarine Schmidt, UW-Milwaukee  
- Paulette Feld, UW-Oshkosh  
- David Rainville, UW-River Falls  
- Mick Veum, UW-Stevens Point  
- Christina Kline, UW-Superior  
- Frank Bartlett, UW-Whitewater

## UWSA Resources:
- Jason Beier  
- Margo Lessard

## BACKGROUND

Employment categories in UW System are currently defined by two personnel structures, classified and unclassified. These structures are authorized by Wisconsin State Statutes Chapter 36 (University Of Wisconsin System), Ch. 111 (Employment Relations) and Ch. 230 (State Employment Relations). The statutes break unclassified service into several employment categories including academic staff, faculty and limited appointees.

The recruitment, hire, compensation, benefits, transferability, classification, and reclassification, among other actions for classified employees are under the control of the Office of State Employment Relations (OSER), an office of the Wis. Department of Administration. Portions of the unclassified service are also under OSER’s purview, but less extensively than the classified service. Flexibilities introduced by the 2011-13 biennial budget have moved authority for classified and unclassified service away from OSER to the Board of Regents.

## PHILOSOPHY

A simple, consistent, and coherent structure is vital to the success of the new University Personnel System (UPS). Changes to the manner in which positions are categorized should be restricted only to situations where categorization has not worked well in the past. Categories that blend well with recommendations of other UPS work groups will bring coherence to the entire UPS.
GOALS

Goals for the Employment Categories Work Group include the development of:

1. Simplified categorization structures that provide for governance identification and consistent identification of Fair Labor Standards Act (FLSA) status.
2. Coherent categories of appointments based upon job function.
3. Categories that ensure all employees are empowered to participate in the development and execution of policy and practice at their respective institutions.
4. Titles that allow for logical career progression within groups of appointments based upon job function.

DEFICIENCIES OF CURRENT SYSTEM

In phase one of the creation of a new UPS, a current state assessment was completed to identify the problems inherent in the current employment systems. The current state assessment indicated that while some positions were categorized as academic staff, other similar positions were categorized as classified staff. The assessment attributed this ambiguity to confusion over the criteria for determining how and why a position should be titled as academic staff versus classified staff. This is evidence that, beyond the employment category of “faculty”, the current categorization system is complex and misunderstood.

Governance: Chapter 36 of the Wisconsin State Statutes establishes employment categories of faculty and academic staff, both with rights to “governance.” As the statute states, faculty,

“…subject to the responsibilities and powers of the board, the president and the chancellor of each institution, shall be vested with responsibility for the immediate governance of such institution and shall actively participate in institutional policy development. As such, faculty shall have the primary responsibility for academic and educational activities and faculty personnel matters.” Wis. Stat. 36.09 (4).

Regarding academic staff, the statute states,

“…subject to the responsibilities and powers of the board, the president and the chancellor of each institution, (academic staff) shall be active participants in the immediate governance of and policy development for the institution.” Wis. Stat. 36.09 (4m).
No such language exists for classified staff. This lack of classified governance (coupled with many factors beyond the scope of this work group) has created a “caste” system, wherein classified staff may be thought of as lesser contributors to the institution’s successful completion of its mission. Some institutions have arranged for classified staff to have a voice in the development of policy that affects them (albeit in a “quasi-governance” fashion); other institutions have not made such accommodation.

Career Progression: The current state assessment pointed to a lack of understanding among academic staff and classified staff of natural career progression within an employment category. Appointments are titled with names that do not make sense to the employees and they do not understand where that title may progress. The assessment identifies some employment categories as having too few titles, e.g., the Instructional Academic Staff, while others have too many titles, e.g., many areas of classified service.

With appointments being loosely grouped by function or, in some cases, not grouped by function at all, it is difficult for employees to understand the categorization system and how they may be able to progress within it.

RECOMMENDATIONS

Recommendations of the Employment Category Work Group include that:

1. The UPS be comprised of the employment categories of Faculty, Academic Staff, Operational Staff, Limited Appointees, and Student Assistants/Employees-in-Training without designation of employees being classified or unclassified.

It is recommended that the employment categories for faculty and limited appointees remain unchanged. These categories are well understood and simply titled in a manner that is well understood.

The “classified” and “unclassified” designations are no longer relevant, and dropping them is a step toward elimination of the caste system. Retaining current FLSA non-exempt employees in an employment category (Operational Staff) will be explained in a subsequent goal. As a later goal emphasizes, the make-up of academic staff will change but retaining the name of the employment category provides current academic staff with name recognition and affirmation, both of which were cited as preferences in the current state assessment.

This recommendation aligns with goal number one and addresses the caste system identified above.
It is noted that dissenting opinion within the work group exists about creating an employment category of Operational Staff. Opinion exists that moving all current classified staff into the employment category of Academic Staff would more completely address the caste system and successfully accomplish part of goal number one and goal number three. The majority of the work group opined that moving all current classified employees into the current academic staff would too broadly widen the definition of academic staff, fail to empower current classified staff to be fully able to participate in the development of policy for which they are stakeholders, and would remove collective bargaining rights from current classified staff.

2. **An employment category of Operational Staff be added to the employment categories in Chapter 36 with governance rights established**

The establishment of governance rights empowers Operational Staff to participate in policy development that affects them. It moves Operational Staff to a stature similar to that of the other employment categories with governance rights (Faculty and Academic Staff). If it is understood that some characteristics of employment as Faculty, Academic Staff and Operational Staff are unique to that employment category and that some matters of policy may affect only one employment category (e.g., regarding Operational Staff, the establishment of a policy for the utilization of overtime), it makes sense that a governance group that represents a respective employment category would have the authority to participate in policy development unique to that employment category.

This recommendation aligns with goal number three and addresses the caste system identified above.

3. **All current classified staff who hold FLSA exempt status be included in the category of Academic Staff.**

Much of the confusion cited in the current state assessment regarding categorization of appointments as academic staff or classified staff stems from the lack of distinctions between exempt classified staff and (exempt) academic staff. Current exempt classified positions meet the same requirements for exemption from the FLSA as the current academic staff. The very nature of the work performed by exempt classified staff aligns well with the work of academic staff. Having all exempt employees in the same employment category is logical and will reduce confusion.

This recommendation aligns with goal number one.

It is noted that dissenting opinion exists over moving exempt employees into the academic staff category. This move may eliminate rights and protections from some exempt classified staff such as the ability to be paid for work in excess of 40 hours in a week (as is currently permissible in some circumstances under the State of Wisconsin Compensation Plan) and the loss of collective bargaining rights for approximately 30% (approximately 160 total employees) of the exempt classified employees. The majority of the work group feels these concerns are outweighed by the rationale stated above.
4. **All appointments should be grouped into job families based upon function.**

This recommendation addresses the concept that employees working in distinct areas to accomplish the university’s mission should be grouped together. It is simple and logical for employees to think of themselves as part of a job family that involves similar traits, attributes, characteristics, or competencies.  
(See Job Families Document: [http://web.uwsa.edu/assets/sites/personnel_structures/docs/Job%20Families%20for%20Web%20Posting-1.pdf](http://web.uwsa.edu/assets/sites/personnel_structures/docs/Job%20Families%20for%20Web%20Posting-1.pdf))

The establishment of job families aligns with goal number two and is a prerequisite for recommendation five (below) and goal four.

5. **A comprehensive titling study is necessary to establish easily understood titles that provide for career progression.**

Within the job families stated in recommendation four, titles that employees understand and can utilize in considering career progression will address confusion that exists today about categorization, titling, and how to progress in a career at the university. It will provide employees with career pathways and help them identify what skills they may need to acquire in order to progress. This will help avoid employees feeling “stuck” in their career, which may increase retention.

Other specific recommendations will be developed, as needed, to achieve goals and address current deficiencies.

**SUMMARY**

The five recommendations stated above allow for greater understanding of employee categorization and titling, empower all employees to participate in the development of policies that affect them, and group appointments into job families based on function that provide for clear career progression. All recommendations receive the work group’s highest priority. By their increasing of understanding and empowerment, the recommendations further the UPS principles of simplicity, consistency and coherence.