

# **EMPLOYMENT POLICIES AND PROCEDURES**

## **Advancement Opportunities**

The University has a long-standing commitment to develop its employees personally and professionally. In this regard, classified employees are encouraged to seek information on career advancement, to be aware of positions announced in the State of Wisconsin [Current Opportunities Bulletin](#), and to review the UW-Superior [Employment Opportunities Web Site](#) for Classified vacancy announcements.

Whenever there is statewide testing for a classification used by UW-Superior, the Office of Human Resources will send out notices to all Classified Employees.

## **Civil Service System**

As an agency of the State of Wisconsin, UW-Superior is bound by the personnel regulations of the Department of Employee Relations. Additionally, many of the classified employees are members of bargaining units, they and the University are governed by the terms of the appropriate collective bargaining agreement.

All permanent employees qualify for their initial positions by taking a state civil service examination. The supervisor interviews the top scoring candidates, and chooses which one to hire.

The University hires some non-permanent classified employees, Limited Term Employees (LTEs). Not all of the provisions in this Handbook pertain to those employees, and they should contact the Office of Human Resources if they have any questions as to their rights and responsibilities.

**UNIVERSITY OF WISCONSIN - SYSTEM  
CLASSIFIED EMPLOYEES  
WORK RULES**

Recent collective bargaining agreements with several employee associations provide that the employer establish reasonable work rules defined as and limited to "rules promulgated by the employer within its discretion which regulate the personal conduct of employees." The following work rules relating to personal conduct are issued by the University of Wisconsin System as part of its responsibility under law to inform all classified employees of personal conduct considered unacceptable as a University of Wisconsin employee. These rules are established so the University can attain its objectives in an orderly and efficient manner and are not intended to restrict the rights of employees, but rather to advise employees of prohibited conduct.

Engaging in one or more of the following forms of prohibited conduct by a classified employee of University of Wisconsin System may result in disciplinary action ranging from a reprimand to immediate discharge, depending upon the specific form of conduct and/or the number of infractions, pursuant to Sec. 16.28(1), Wis. Stats. and Wis. Adm. Code section Pers 23, or pursuant to existing collective bargaining agreements.

**PROHIBITED CONDUCT**

**I. WORK PERFORMANCE**

- A. Insubordination, including disobedience, or failure or refusal to carry out assignments or instructions.
- B. Loafing, loitering, sleeping or engaging in unauthorized personal business.
- C. Unauthorized disclosure of confidential information or records.
- D. Falsifying records or giving false information to other state agencies or to employees responsible for record keeping.
- E. Failure to provide accurate and complete information whenever such information is required by an authorized person.
- F. Failure to comply with health, safety and sanitation requirements, rules and regulations.
- G. Negligence in performance of assigned duties.

**II. ATTENDANCE AND PUNCTUALITY**

- A. Failure to report promptly at the starting time of a shift or leaving before the scheduled quitting time of a shift without the specific approval of the supervisor.
- B. Unexcused or excessive absenteeism.
- C. Failure to observe the time limits and scheduling of lunch, rest or wash-up periods.
- D. Failure to notify the supervisor promptly of unanticipated absence or tardiness.

**III. USE OF PROPERTY**

- A. Unauthorized or improper use of University property or equipment including vehicles, telephone, e-mail or mail service.
- B. Unauthorized possession or removal of University or another person's private property.
- C. Unauthorized posting or removing of notices or signs from bulletin boards.
- D. Unauthorized use, lending, borrowing or duplicating of University keys.
- E. Unauthorized entry to University property, including unauthorized entry outside of assigned hours of work or entry to restricted areas.

**IV. PERSONAL ACTIONS AND APPEARANCE**

- A. Threatening, attempting, or doing bodily harm to another person.
- B. Threatening, intimidating, interfering with, or using abusive language towards others.
- C. Unauthorized possession of weapons.
- D. Making false or malicious statements concerning other employees, supervisors, students or the University.
- E. Use of alcoholic beverages or illegal drugs during working hours.
- F. Reporting for work under the influence of alcoholic beverages or illegal drugs.
- G. Unauthorized solicitation for any purpose.
- H. Inappropriate dress or lack of personal hygiene which adversely affects proper performance of duties or constitutes a health or safety hazard.
- I. Unauthorized or improper use or possession of uniforms, identification cards, badges, or permits.
- J. Failure to exercise good judgment, or being discourteous, in dealing with fellow employees, students or the general public.

These work rules do not constitute the entire list of violations for which employees may be disciplined. Other rules are provided by statute, by Administrative Code, and by administrative procedures established by management. Violations of these rules can also result in appropriate disciplinary action. Additional work rules may be established by management to meet special requirements of departments or work units or as circumstances require.

## Classified Ethics Code

The ethics rules for state classified employees became effective April 1, 1974. The rules were developed by the State Division of Personnel under the provisions of section 19.45 of the Wisconsin Statutes and are incorporated in the Wisconsin Administrative Code as Chapter Pers 24, Rules of the Administrator, Division of Personnel.

Designed to promote high and ethical standards of conduct for employees in state government, the ethics code sets standards of job performance that are intended to eliminate conflicts of interest by employees in their public service activities.

While the code sets ethical standards for employees in performing their official duties, it does not prevent an employee from accepting an outside job, as long as it doesn't interfere with regular state duties. If you have such a job, however, or intend to take such a job, you are required to notify your supervisor to assure that there is no conflict of interest. If the job is with a business that comes under any kind of review or enforcement by your department, you must receive specific approval from the Chancellor.

Employee activities specifically prohibited by the code include:

Use of the state's time, facilities, equipment and supplies, uniforms, badges, or prestige or influence of a state position for private gain or advantage.

Acceptance of money, gifts, or favors from private businesses when performing official state duties. Receiving fees or expense payments from private sources for speeches or appearances by an employee on his or her own time and not related to official state duties are not a violation of the code. Such appearances require that the Chancellor be notified prior to acceptance to insure there is no conflict of interest.

Use of confidential information gained through an employee's public position for other than official state duties.

Private use of or allowing the use of state owned or leased property for other than the public interest except as provided by law.

Use of state positions for personal financial gain or to obtain other benefits or privileges for the employee, employee's immediate family, private business, or any other person.

While all employees are not required to file financial disclosure statements, the chancellor may request statements of economic information from employees (or people being considered for employment) when such requests are pertinent to the employee's work. This information, however, remains confidential.

The code also prohibits employees or any business in which an employee has a financial interest from entering into any contracts with the state, except by competitive bidding or other process authorized by law. Employees or any business in which an employee owns or controls at least 10% interest are prohibited from entering into real estate leases with the state, unless waived by the administration on request as being in the best interests of the state.

Included are procedures for investigating and hearing ethics rules violations, and the protection of employees' due process rights and appeal processes. Any disciplinary actions taken as a result of code violations will be as provided by the statutes, except that disciplinary actions affecting employees in certified bargaining units will be in accordance with applicable labor agreements.

Specific questions regarding the classified code of ethics should be directed to your supervisor and the Office of Human Resources.

## Classified Employment

Classified employees are divided into several bargaining units, each composed of related job classifications. Many of these units have chosen to be represented by a labor union.

As a classified employee your status is defined as non-represented or represented. A non-represented employee is an employee whose classification is not presently represented by a labor union. A represented employee is an employee whose classification places him/her in a bargaining unit legally represented by a labor union. Employees are not required to join a union. However, they may be represented by a union that has fair share dues deductions or maintenance of membership agreement.

Appointment letters for represented employees will indicate which union represents them. Represented employees may obtain a copy of the collective bargaining agreement from their union. Employees who are in Building Trades may contact their personnel office.

Listed below are the UW-Superior employee groups by bargaining unit and labor union representation.

<b>Bargaining Unit Title</b>	<b>(Code)</b>	<b>Labor Union</b>
Administrative support	(02)	Wisconsin State Employees Union
Blue Collar & Non-Bldg Trades	(03)	Wisconsin State Employees Union
Security and Public Safety	(05)	Wisconsin State Employees Union
Technical	(06)	Wisconsin State Employees Union
Building Trades	(04)	State Building Trades Council
Fiscal and Staff Services	(07)	Wisconsin Professional Employees Council
Professional Education	(13)	Wisconsin Education Assn Council

## Classified to Unclassified Staff

Under some circumstances, classified staff members can move to unclassified positions, reserving the right to move back to the classified staff. Classified staff members can only be moved to the academic staff if the majority of their work contacts are with academic staff and faculty members, their work is professional in nature, and they make policy decisions. The responsibilities of the position must be "unique to higher education."

## **Grievance Procedure**

A contractual grievance is a written statement from a represented employee, group of employees, or union which seeks specific relief from alleged employer violation of a specific provision of a collective bargaining agreement.

The state is prohibited by law from bargaining with unions on policies, practices and procedures in the civil service merit system. This includes matters relating to promotion, recruitment, examinations, appointments and policies concerning probationary periods. Represented employees cannot grieve UW-Superior actions in these areas under the contractual grievance procedure.

Collective bargaining agreements between the State and unions representing state employees provide for a formal grievance procedure. Employees should consult the appropriate contract for details in processing a grievance.

## **Performance Evaluation**

During your employment with the UW-Superior, your performance on the job will be evaluated on a regular basis.

The first formal evaluations will occur during the third and sixth months of your probationary period. At these intervals your supervisor will decide whether to continue your employment, and (ultimately) grant you permanent status. Subsequently, your performance will be reviewed at least annually.

Each year supervisors are required to review the job performance for the previous year and set standards for the following year, with each employee supervised. This is an objective evaluation of performance in terms of standards established for each position. Areas of progress and strength in the performance, as well as where improvement is desired, will be discussed and standards for the following evaluation period are set. Employees are given the opportunity to comment and to sign the evaluation form. One copy is given to the supervisor, and one to the employee.

## **Personnel & Payroll Records**

Confidential up-to-date records of all employees' education and work experience are officially maintained in the Office of Human Resources. An employee may make an appointment to see his/her records by calling the Office of Human Resources during regular office hours.

An employee should notify the Office of Human Resources of specialized training and education which s/he has completed which should be included in her/his personnel file.

The Payroll Office should be advised of changes of address, telephone number, marital status, and number of dependents for tax withholding purposes.

## **Probationary Period**

All new employees are required to serve an original probationary period of six months. New employees who assume supervisory or management positions are required to serve a twelve month probationary period. The probationary period is an extension of the examination process and is meant to provide opportunity for close observation of how employees apply their skills and talents to the tasks for which they were hired. A probationary period is also required when an employee is promoted to a higher classification and may be required if an employee transfers or is reinstated to another employing unit/agency within the state service.

After successful completion of an original or promotional probationary period will be granted permanent status in the classification.

During the probationary period, an employee will be evaluated after three months and again before completion of the sixth month. An employee may be dismissed during the probationary period without appeal rights.

## **Reclassification Procedures**

The classification of a position is determined by the duties and responsibilities assigned to the position. Reclassification is the assignment of a filled position to a different classification based upon a logical and gradual change to the duties or responsibilities. The employee must have performed the permanently assigned duties and responsibilities for at least six months. Reclassifications are not used as rewards for job performance or longevity.

Generally, the employee's supervisor requests a reclassification audit. However, an employee has the right to initiate a request for a job audit by contacting the Human Resources Office.

If an employee or supervisor believes that the position duties and responsibilities have significantly changed, a request for a review of the position: can be made to the Human Resources Office. The request for review requires completion of a Reclassification Analysis Form and an updated position description which would accurately reflect the position's current duties and responsibilities. An analysis of the job change will be conducted and the Human Resources Office will make a final determination.

Appendix C contains the Reclassification Procedure.

## Use of Breaks

In the WSEU labor agreement between the state and the blue collar, clerical, technical and public safety bargaining units Article 6, Section 10/1 states the following:

"All employees shall receive one (1) fifteen (15) minute rest period during each one-half shift. The Employer retains the right to schedule employees' rest periods to fulfill the operational needs of the various work units. Rest periods may not be postponed or accumulated. If an employee does not receive a rest period because of operational requirements, such rest period may not be taken during a subsequent work period."

The following points are to clarify the operational limitations of the above statement.

It is to the benefit of the employer and employee that rest breaks be taken. Only when operational need makes it impossible to take a break, should employees be asked to skip their break. "Operational need" means that if the employee were to leave the task at hand it would result in damage to equipment or processes, endanger the health and safety of staff or the public, **OR** would have significant impact on the service to the public. In many cases, it may require the break to be taken at a later time and only in extended emergencies would the break be lost altogether. Examples may include emergencies where equipment must be monitored at all times; where one is responding to a telephone or in-person inquiry from a customer, if no back-up is available; or when monitoring safety equipment for another employee currently involved in a dangerous task. This is intended to be a guide to supervisors; however, management still reserves the right to determine each situation on its own merits.

A rest break is paid university time which means the employee is in employment status during the break time which is different from the unpaid lunch break. This can mean that if an employee leaves campus during a break, the University can be liable for accidents or injuries as in any employment related activity. Therefore, employees should inform their supervisor that they are leaving the campus and should understand that they waive all University liability upon leaving in pay status. It should be understood that said employees must limit their break to the 15 minutes allotted.

Break times should not be taken at the beginning or end of a shift to allow the employee to report to work 15 minutes later or to leave 15 minutes early. For example, if the employee's schedule is to work from 7:45 to 4:30, one cannot decide to come in at 8:00 and not take the morning break.

If an employee is unable to take a break due to work requirements, he/she cannot accumulate the time for another time. The break is to be taken within each one-half shift (each 4 hours worked) and, if not taken, it is lost.

These points are in no way intended to eliminate the flexibility of the supervisor and employee to deal with emergency or unusual situations. If, however, a decision is made to permanently change an employee's work schedule, prior written approval must be obtained from the Office of Human Resources.

**Non-WSEU** - Federal law does not require lunch or coffee breaks. However, when employers do offer short breaks (usually lasting about 5 to 20 minutes), federal law considers the breaks work-time that must be paid. Unauthorized extensions of authorized work breaks need not be counted as hours worked when the employer has expressly and unambiguously communicated to the employee that the authorized break may only last for a specific length of time, that any extension of the break is contrary to the employer's rules, and any extension of the break will be punished.

Bona fide meal periods (typically lasting at least 30 minutes), serve a different purpose than coffee or snack breaks and, thus, are not work time and are not compensable.

## **FLEXIBLE SCHEDULING**

Wisconsin statutes 230.215, 1977 and Collective Bargaining Agreements provided a basis for flexible scheduling on this campus.

These guidelines are intended to establish parameters within which departments or activities may develop plans for flex-time scheduling. All proposals must be reviewed by the appropriate Chair or Director for conformance to these guidelines.

Basically, flexible scheduling may be considered in the following categories:

### **FLEX-TIME**

This is a technique of scheduling work where fixed hours for arrival, departure and lunch breaks are replaced by a work day split into two different types of time periods. The main period during which staff must be at their jobs except for lunch breaks is called "core hours". The other period is made up of flexible hours at the beginning and end of the day.

Subject to departmental approval, employees may decide for themselves when, within the flexible hours, they arrive at and leave work. Employees will be responsible to have worked the required number of hours during the work week.

### **DEVIATED WORK WEEK**

This is technique of scheduling work which enables a full-time employee to complete the basic work requirement of 40 hours typically in less than five full work days during the work week.