

Chapter 5 Hiring Process

5.01 Applicant Notification

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5.01 Applicant Notification

- **Permanent, Project and Limited Term Employment Hires**

All permanent, project and limited term employment (LTE) hires must be given an appointment letter. The appointment letter establishes the terms and conditions of employment including, but not limited to, the classification title, pay schedule and range, type of appointment, starting date, salary, appointment percent, bargaining unit, probationary information (permanent hire), FLSA provisions for overtime, and length of the appointment (project and LTE hires).

In addition, all letters should include:

- I-9 Employment Eligibility Form
- Information about moving expenses, if appropriate
- Reference to staff benefits
- Provisions for Project Employment addendum (for project hires only)
- Fact sheet for LTE staff benefits (for LTE hires only)

See [Appendix 5-A - I](#) for sample appointment letters.

- **Letter of Rejection**

Applicants interviewed and not selected for hire to permanent, project and LTE positions must receive notification of rejection.

See [Appendix 5-J](#) for sample letter of rejection.

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5.02 Notification to Classified Personnel Office

- **Permanent and Project Hires**
 - Inform Certification Unit of hire including certification number, classification title, name of hire and starting date. Send copy of appointment letter and signed Position Description to Certification Unit.
 - Complete Written Hiring Reason Form (Appendix 5-K) for new and promotional appointments to permanent positions and all appointments to project positions. Send to Certification Unit.
 - I-9 Employment Eligibility Form must be submitted to . (Refer to Chapter 5.04.)
 - Entry Professional Positions (EPP) requires completion of an EPP Hire Report (Appendix 5-L) which must be sent to Certification Unit.
 - Departments delegated authority to complete the Certification Request and Register Control Slip, Form 62 (Appendix 5-M) must complete the form and send to Certification Unit.
- **Limited Term Employment Hires**
 - LTE Request Form should be reviewed and signed by the employee on the first day of work and then immediately sent to . (Refer to Chapter 3.)
 - I-9 Employment Eligibility Form must be completed and submitted to employing unit personnel office. (Refer to Chapter 5.04.)

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5.03 Moving Expenses

Currently being revised.

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5.04 I-9 Verification of Identity and Employment Authorization

- **Law and Policy**

The federal Immigration Reform and Control Act of 1986 requires employers to verify **ALL** new employees' identity and eligibility to work on the federal I-9 form (see Appendix 5-N or the website <http://www.ins.usdoj.gov/graphics/formsfee/forms/i-9.htm>). Section 1 of the form I-9 must be completed and returned to the department on or before the date of hire, and the required documents must be presented by the third day of employment. The Immigration Reform and Control Act of 1986 prohibit the University from continuing to employ an individual who has not provided the required documents within three days or who is not authorized to work. Failure to comply with the I-9 requirements is punishable by fine or, in extreme cases, as a criminal violation. It is University policy to comply fully with the federal law regarding I-9s.

- **Procedures**

I-9s should be included with all letters of appointment. For titles that do not require a letter of offer, the I-9 form should be given to the employee on his/her first day of employment.

Departments must ensure that Section 1 of the form I-9 is completed and returned to the department on or before the date of hire and that documents are presented and Section 2 is completed by the third day of employment. If the length of employment is fewer than three days, the I-9 must be completed on the first day of employment. The attachment to the I-9 form describes the documents that the employee may present to verify identity and work eligibility. Departments cannot tell an employee which one to provide; that is completely up to the employee.

In lieu of original documents, employees may present a receipt from a government agency for a lost, destroyed or stolen document, which indicates that the documentation has been requested (e.g., a receipt indicating that the employee has requested a copy of his birth certificate or social security card replacement). With the receipt, the employee may be given 90 days from the first day of employment to present the original documentation.

If an employee does not produce the required original documentation or receipt within the three days, the employee must be taken off of the payroll immediately, and departments should consult with the Dean's/Director's office to determine how to proceed.

Departments should photocopy documents presented by all classified employees (permanent, project and LTE hires) and retain them attached to the I-9 in the department.

If the work authorization has an expiration date, the employee must be reverified on or before the expiration date. The employee must be notified of the need to reverify employment authorization at least 90 days in advance of the expiration date.

Contact the Classified Personnel Office at 262-3233 for further clarification.

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5.05 Union Dues

Under the State Employment Labor Relations Act bargaining units are statewide occupational groupings of employees. The title of a classified position is indicative of the bargaining unit that represents the employee. All classified represented position titles have a particular bargaining unit code.

The bargaining units have either a Fair Share dues deduction or a Maintenance of Membership (MOM) arrangement. These deductions have been authorized by a referendum vote of the bargaining unit, conducted by the Wisconsin Employment Relations Commission. The bargaining unit determines the amount of the deductions.

Fair Share

Employees represented by any of the following bargaining units are required to pay a proportionate share of the cost of the collective bargaining process and contract administration as established by the particular bargaining unit. The amount of this payment will be deducted from the employee's paycheck and paid to the bargaining unit.

- 03 Blue Collar and Non-Building Trades (WSEU)
- 04 Building Trades/Crafts (Wisconsin State Building Trades)
- 05 Security and Public Safety (WSEU)
- 06 Technical (WSEU)
- 36 Wisconsin Law Enforcement Association (WLEA)
- 11 Patient Care (United Professionals for Quality Health Care or UPQHC)
- 13 Education (Wisconsin Education Association Council or WEAC)
- 14 Engineers (State Engineering Association or SEA)

Maintenance of Membership (MOM)

Employees represented by any of the following bargaining units and whose original hire date with the University or state government is on or after the effective date of the bargaining unit's MOM are required to pay a share of the cost of the collective bargaining process and contract administration as established by the particular bargaining unit. A WERC decision requires reinstatements be treated as original hires, and thereby required to pay MOM dues. The amount of this payment will be deducted from the employee's paycheck and paid to the bargaining unit.

Effective dates of the MOM are:

- 02 ASU (WSEU) Effective date October 5, 2001;
- 07 WPEC Effective date January 7, 1996
- 15 Science Effective date August 28, 1988.

How to Determine Who Must Pay MOM Dues - Procedure

At this time there is no central mechanism to determine if a dues deduction is appropriate when an employee moves into one of the above-listed MOM bargaining units. Therefore, each employing unit should continue to use an identified point where the determination can be made using these questions:

Question 1: Is the employee moving within the same MOM bargaining unit? (a transfer, demotion, promotion, reinstatement, or restoration)

IF YES, STOP. No need to ask other questions. No employing unit action is necessary. As long as the employee remains in the same bargaining unit, the employee's current status with regard to union dues is maintained even if the employee is from another state agency. (If the employee is moving from another state agency, the Employee Compensation and Benefits unit accepts and enters what is reflected on the Personnel Transfer document.)

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IF NO, the employee is entering the MOM bargaining unit. Ask question 2.

Question 2: Is the employee's **original hire date on or after the MOM effective date (See list above), or is the employee a reinstatement?

If YES, STOP. No need to ask other questions. No employing unit action is necessary. Dues will be deducted automatically.

IF NO, the employee's **original hire date is prior to the effective date of the MOM. Union dues should not be taken. The employing unit **MUST** notify Payroll and Benefit Services by sending an e-mail message to payroll@ohr.wisc.edu advising that union dues should not be taken. Include the employee's name, social security number and seniority date. If any dues are taken in error, or because the notification to Payroll and Benefits is not timely, Payroll and Benefits **will** issue a refund request to the union asking that the refund check be sent directly to the employee at their home address.)

The exception is an employee who previously joined the MOM bargaining unit by submission of a union membership card. The UW currently has no way to identify this small employee group. When an error is called to our attention, it will be remedied. .

Definition: ** Original hire date" means the first date of hire within the University System or State Agency, assuming that if there is any break in employment, the restoration took place within the employee's period of restoration eligibility. The "original hire date" of employees who return outside of that eligibility period including those who reinstate is the new, later appointment date.

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