

# Clearinghouse Rule 99-167

STATE OF WISCONSIN)

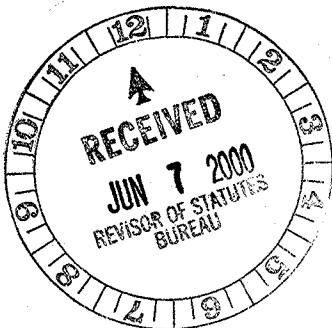
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DEPARTMENT OF EMPLOYMENT RELATIONS, DIVISION OF MERIT  
RECRUITMENT AND SELECTION

I, Robert Lavigna, Administrator of the Division of Merit Recruitment and Selection and custodian of the official records, certify that the annexed rules, relating to release of examination information and removal of names from employment registers, were duly approved and adopted by this Division on June 1, 2000.

I further certify that this copy has been compared by me with the original on file in this Division and that it is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand at the office of the Division of Merit Recruitment and Selection, 345 West Washington Avenue in the city of Madison, this first day of June, 2000.

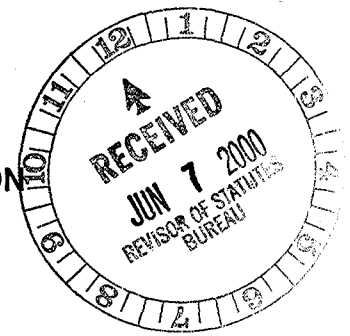


*Robert Lavigna*

Robert Lavigna, Administrator  
Division of Merit Recruitment and Selection

8/1/00  
99-167

**ORDER OF THE ADMINISTRATOR  
OF THE DIVISION OF MERIT RECRUITMENT AND SELECTION  
ADOPTING RULES**



To amend ER-MRS 6.08 (2) and to create ER-MRS 6.08 (3) and 11.04 (1) (h), relating to release of examination information and removal of names from employment registers.

**ANALYSIS PREPARED BY DEPARTMENT OF EMPLOYMENT RELATIONS**

This rule order is intended to give hiring managers additional information when interviewing certified candidates for a position and to facilitate the interview for candidates. Currently the Division of Merit Recruitment and Selection may not release narrative information supplied by candidates on examinations to hiring managers. Such information as details of a candidate's qualifications or experience, answers to essay questions, resumes when submitted in competition for a position are considered examination information that is confidential under ER-MRS 6.08 (2). Candidates may assume that the hiring manager has this information and neglect to offer it again.

This new section in ER-MRS 6.08 would permit the Division to pass on to hiring managers candidate information gathered in the examination phase of the recruitment.

The amendment to ER-MRS 11.04 (1) is also intended to facilitate the interviewing of potential candidates for positions. This change will allow the Administrator of Merit Recruitment and Selection to remove an individual from the list of qualified candidates for a position if the individual fails to appear for an agreed interview without giving a valid reason. This change will allow the Administrator to clear obviously disinterested individuals from the list and facilitate certifying *interested* candidates.

The statutory authority for these rule changes is found in the following:

1. S. 230.05(5), Stats., grants the Administrator of the Division of Merit Recruitment and Selection general authority to promulgate rules on provisions for which the administrator has statutory responsibility.
2. The specific statutory authority to examine the qualifications of applicants for positions in the civil service is found in s. 230.15(1).
3. S. 230.17 grants the Administrator authority to refuse certification to a candidate.

**TEXT OF PROPOSED RULE**

**SECTION 1.** ER-MRS 6.08 (2) is amended to read:

ER-MRS 6.08 (2) ~~Examination~~ Except as provided in sub. (3), examination information which may not be released includes but is not limited to the following:

**SECTION 2.** ER-MRS 6.08(3) is created to read:

ER-MRS 6.08 (3) For certified individuals, the administrator may release to the appointing authority the following examination information, but only after the employment interview questions have been finalized:

- ( a ) Narrative responses to open-ended examination questions such as essay or achievement history.
- ( b ) Tapes of oral examinations.

(c) Resumes, letters of interest, and other narrative examination material provided by the certified candidates as long as the materials released do not contain scores, comments, ratings, or other evaluations.

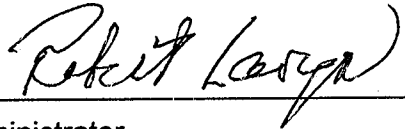
**SECTION 3.** ER-MRS 11.04 (1) (h) is created to read:

ER-MRS 11.04 (h) *Failure to appear for scheduled interview.* When a person does not appear for a mutually agreed upon scheduled interview and does not provide a valid reason for such failure to appear within 5 work days of the interview date.

**EFFECTIVE DATE**

This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2)(intro), Stats.

Dated: 6-1-00

Agency:   
Administrator,  
Division of Merit Recruitment and Selection