

Wisconsin Human Resources Handbook

Chapter 750

Headquarters Location

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Sec. 750.010 Introduction

The purpose of this chapter is to provide guidance to agencies and appointing authorities regarding the criteria for determining a headquarters. This chapter applies to any and all locations where a state employee may be headquartered. The provisions of this chapter apply to both vacant and filled positions, as well as limited term and permanent positions.

Sec. 750.020 Statutory Authority

1. “It is the policy of the state to ensure its employees opportunities for satisfying careers and fair treatment based on the value of each employee’s services.” s. 230.01(2)(d), Wis. Stats.
2. “The administrator is charged with the effective administration of this chapter. All powers and duties, necessary to that end, which are not exclusively vested by statute in the commission, the division of equal rights, the director or appointing authorities, are reserved to the administrator.” s. 230.04(1), Wis. Stats.

Sec. 750.030 Definitions

For purposes of this chapter, terms are defined as follows:

1. “Headquarters” means “[t]he physical location of the employee’s permanent work site.” See State of Wisconsin Compensation Plan Sec. F-1.03. Headquarters can include a physical location anywhere in the State of Wisconsin and includes state-owned buildings, state-leased spaces, non state-owned/leased space pursuant to a formalized space agreement, in-state home headquarters locations, and out-of-state headquarters locations.
2. “Headquarters City” means “[t]he area within the city, town or village limits where an employee’s permanent work site is located and the area within a radius of 15 miles from the employee’s permanent work site. The appointing authority or designee shall determine the employee’s permanent work site in the best interest of the state.” See s. 20.916(9)(a)2, Wis. Stats. and State of Wisconsin Compensation Plan Sec. F-1.04.
3. “Best interest of the state” means the following factors have been evaluated: what is the most efficient and economical use of state resources based on geographical location of where work is to be performed (regional, statewide, etc.); effective use of state office space; operational impacts; potential risk or liability with regard to

workers compensation, payroll/tax administration, and/or benefits administration; what is the most advantageous action to take under the circumstances; need for physical representation in a particular area, region, etc. where a state-owned building or state-leased space does not already exist; recruitment/retention in unique circumstances where there is a demonstrable business need; equipment costs; travel costs; applicable tax laws; and consideration of additional general liability exposure. The best interest of the state is met when it is determined that the preponderance of the factors listed above are favorable to the state's financial and operational needs.

4. "Remote work" refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of their position, and other authorized activities as determined by the supervisor, from an approved alternate work site other than the employee's assigned headquarters one or more days per week on a standard and recurring basis. The policy for developing and administering formal remote work programs is set forth in *Wisconsin Human Resources Handbook* Chapter 748 Remote Work.
5. "Mandated remote worker" means an employee who is assigned to work from home or alternative location as a condition or expectation of their appointment.
6. "Alternative Work Patterns" means work schedules which differ from the standard work schedule for full-time permanent or project employment, including but not limited to: part-time, shared time and flexible-time schedules which may result from position restructuring, the creation of additional part-time positions, or other work schedule changes. Wis. Admin. Code s. ER 42.02(1). The policy for developing and administering Alternative Work Patterns programs is set forth in *Wisconsin Human Resources Handbook* Chapter 746 Alternative Work Patterns. Hours of operation for offices of the agencies of state government are defined as 7:45 a.m. to 4:30 p.m., Monday to Friday. s. 230.35(4)(f), Wis. Stats.

Sec. 750.040 Headquarters Location

Headquarters location is determined during the recruitment phase of a position and included in the job posting, which may list one or more potential headquarters locations. The hiring supervisor will work with their staffing specialist in Human Resources to determine the location based on position requirements, job duties, etc.

With the exception of mandated remote workers, state employees are assigned to a state-owned building, office, or state-leased space, or a non state-owned/leased space pursuant to a formalized space agreement, as their headquarters based on the requirements of their position. This is true even if the employee is engaged in part- or full-time remote work or has an alternative work pattern schedule. An employee's schedule and where they perform their work duties is not solely determinative of the position's headquarters location. Headquarters location does not determine an employee's ability to work remotely or to have an alternative work pattern schedule; these benefits are supported by the State and are available to employees. (See *Wisconsin Human Resources Handbook* Chapter 746 Alternative Work Patterns and *Wisconsin Human Resources Handbook* Chapter 748 Remote Work.)

Changes to a position's headquarters should be made only when in the best interest of the state, and only after being properly documented and authorized by the appropriate parties in accordance with the agency process, as outlined in Sec. 750.060 below. Note that changing an existing employee's permanent work or headquarters location as a condition of their employment may result in the mandatory payment of moving expenses if the employee is required to move and/or physically report to that location. See also *Wisconsin Human Resources Handbook* Chapter 760 Reimbursement for Moving Expenses.

When it is in the best interest of the state to change a position's assigned headquarters, an alternate state-owned building, office, or state-leased space should be the primary option when considering a change to headquarters. In limited circumstances, it may be appropriate to change the headquarters to a non state-owned/leased space pursuant to a formalized space agreement, or an individual's home location. In even more limited circumstances, it may be appropriate to change the headquarters to an out-of-state location.

In all instances where a headquarters change is being requested, the supervisor must provide a written justification as to why the position's headquarters relocation is in the best interest of the state and must be able to meet the

applicable criteria as set forth in Sec. 750.050 herein. Each list of applicable criteria includes those that are required at a minimum for the change to be approved, as well as additional criteria that, if they exist, would further support the justification for the proposed headquarters change.

Agencies may develop and implement their own policies regarding headquarters location in accordance with the guidance set forth in this chapter.

Sec. 750.050 Criteria for Change in Headquarters Location

The following criteria should be considered when determining whether a change in headquarters location is appropriate:

1. Change to an Alternate State-Owned Building, State Office, State-Leased Space, Non State-Owned/Leased Space
 - a. Minimum Criteria
 - 1) There is a clear business need for an alternate location (position is located in the field, requirements of the position have changed, etc.)
 - 2) There is not a demonstrable need for the position to be located at one location versus another (e.g., there is no customer service need for the position to be in a particular physical location, team members are not all headquartered in the same location, etc.).
 - 3) The selected location provides all needed services and agency assigned space to support the employee working at that location.
 - 4) An alternate location is financially beneficial for the state (reduction in employer-paid travel costs, meals/mileage reimbursement, etc.).
 - 5) There is a physical location (agency building, shared state office building, state-leased space, non state-owned/leased space, etc.) to which the employee can report.
 - b. Additional Considerations
 - 1) Space considerations make an alternate location possible and/or desirable.
 - 2) For change to a non state-owned/leased space, there is a demonstrable business need for such a location defined by a formalized space agreement.
2. Change to a Home Headquarters Location
 - a. Minimum Criteria
 - 1) There is a clear business need (e.g., job is in the field the majority of the time or requires work to be regularly performed from multiple locations, job is based in a specific geographical area, makes more economic sense for lower travel costs, meals/mileage reimbursement, etc.).
 - 2) Having a home headquarters will not increase potential exposure regarding intended application of various employee safety and risk management concerns, including workers compensation (employee injury) and/or liability (negligence causing injury/damage to a third party) coverage while the employee is acting within their scope of employment.
 - b. Additional Considerations
 - 1) There is a demonstrable recruitment need (e.g., repeated failed attempts to find qualified applicants, the amount of required travel is significant, etc.) to provide home headquarters as an option. [Note: This should be a rare circumstance; employees can work remotely with a non-home headquarters location.]
 - 2) The employee will be able to report to a designated state facility (in travel status) for equipment pick up and servicing as needed.

3. Change to an Out-of-State Headquarters Location

Note: For an out-of-state headquarters location to be approved, the criteria in Sec. 750.050(1) and Sec. 750.050(2) must also be met.

- a. Minimum Criteria
 - 1) None of the following present a concern: workers compensation; unemployment insurance; out-of-state tax withholdings; compensation/exemption from overtime; health insurance/benefit impacts.
 - 2) The nature of the employee's job requires that the majority of their work is performed out-of-state, i.e., the employee is not performing work out-of-state that could be performed in Wisconsin.
 - 3) The employee will be properly informed of their state employment law rights.
 - 4) If the employee's state of residence requires eVerify for the I-9 verification process, the Division of Personnel Management's Administrator's Office has been consulted.
 - 5) There is a plan to address differing employment laws applicable to someone working out-of-state.
 - 6) It is clear how to determine "home state" for an employee splitting time between states.
 - 7) The employee will be informed of potential for benefits/health insurance coverage gaps.
- b. Additional Considerations
 - 1) A plan has been established to account for working from different time zones and availability of employee for meetings with supervisor and coworkers. Central Standard Time should be the standard for employee availability and for calculation of pay differentials. [Note: Overtime is based on hours worked; work hours should not be extended/adjusted in a different time zone to create overtime.]
 - 2) There is budget authority to address any needed overtime/night differential based on the above.

The Appointing Authority (or designee) is responsible for approving a change in headquarters location. The basis for any such change should be clearly documented and retained by Human Resources. Headquarters assignments for a defined group of positions can be approved as a whole by the Appointing Authority when necessary and appropriate (e.g., assignment of an entire recruit class to a law enforcement academy, movement of a group of employees to a new location due to a building closure or termination of a lease, etc.). Such group approvals do not require individual analysis as long as the state's best interest has been considered and the supporting factors for the change have been documented.

Sec. 750.060 Request, Review and Approval Process

Agencies may define their own process for requesting, reviewing and approving a change in headquarters location as long as the necessary review and approvals (i.e., supervisor, IT, agency finance, agency or DOA risk management, Human Resources, Appointing Authority) have been completed and the process is consistent with the provisions of this handbook chapter. A sample request, review and approval process can be found in Attachment #1.

Sec. 750.070 Administrative Information

This handbook chapter was created in December 2024 to establish guidelines regarding changes to a position's headquarters location, including applicable criteria and a sample request, review and approval process.

Sample Request, Review and Approval Process

Request for Change in Headquarters		
Step	Action	Completed By
1	<ul style="list-style-type: none"> Determine position is appropriate for an alternate headquarters (i.e., a location other than the position’s currently assigned state-owned or leased building). 	Supervisor
2	<ul style="list-style-type: none"> Review the criteria for change in state-owned building, office or state-leased space, change to home location, or change to out-of-state location. (See Sec. 750.050.) 	Supervisor
3	<ul style="list-style-type: none"> Prepare written justification for change that explains why the headquarters relocation is in the best interest of the state and references the applicable criteria. 	Supervisor
Review Process¹		
Step	Action	Completed By
1	<ul style="list-style-type: none"> Identify appropriate IT security measures and ensure they are in place. Identify any additional IT items to consider and how to resolve. 	IT Security/Division of Enterprise Technology ²
2	<ul style="list-style-type: none"> Identify any concerns regarding expense reimbursement due to change in headquarters location and how to address. 	Agency Finance
3	<ul style="list-style-type: none"> Identify any concerns regarding change in location and how to address. 	Agency Risk Management ³
4	<ul style="list-style-type: none"> Submission of justification to Appointing Authority or designee for final review/approval. 	Agency-Based Human Resources
Approval Process		

¹ Agency Human Resources should be responsible for coordinating and obtaining the necessary levels of review/approval as outlined herein.

² Agency IT should be consulted for in-state location changes; the Division of Enterprise Technology should be consulted for out-of-state location changes.

³ If the agency does not have its own risk management staff able to perform the necessary review, the request should be submitted to the Department of Administration, Bureau of State Risk Management for review.

Step	Action	Completed By
1	<ul style="list-style-type: none"> • Review of justification for headquarters change and issuance of written decision. Decision (either approval or denial) should be sent to the employee’s supervisor as well as agency Human Resources. 	Appointing Authority or designee
2	<ul style="list-style-type: none"> • If approved, issuance of letter to employee documenting change in headquarters. 	Agency-Based Human Resources
3	<ul style="list-style-type: none"> • If approved, update employee information in PeopleSoft, both in HR and Position pages, and upload letter to employee personnel file. • Notify Central Payroll of change in the case of an out-of-state headquarters. 	Agency-Based Human Resources
4	<ul style="list-style-type: none"> • If approved, ensure appropriate forms are completed (DOA-2700 for out-of-state work sent to Central Payroll, etc.). 	Agency-Based Human Resources